United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, WEDNESDAY, MARCH 16, 2011 No. 40

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Creator God, alert our senses to Your world. Let sight and sound, taste and touch remind us that You are sovereign and in control of the unfolding events of our planet.

Give our lawmakers the desire to do Your will. Equip them with deeper insight and loftier courage, enabling them to act not only for today but for the coming hour of Your Kingdom. Keep their idealism and dreams of a better world from being crushed by disappointment, doubts, and despair. Show them the way of servanthood, which sanctifies every task done for Your glory. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 16, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will proceed to a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the second half.

Following morning business, the Senate will resume consideration of S. 493, the Small Business jobs bill.

Senators should expect two rollcall votes at about 10:30 this morning. Those votes will be in relation to the following amendments: Nelson of Nebraska, regarding a sense-of-the-Senate resolution to reduce the Senate's budget by 5 percent, and a Snowe-Landrieu-Coburn amendment striking the Federal authorization of the National Veterans Business Development Program.

Additional rollcall votes in relation to amendments to the Small Business bill are expected during today's session of the Senate.

At 12 noon, Senator BLUMENTHAL, from Connecticut, will deliver his maiden speech and will speak for up to 20 minutes.

Yesterday, we received a 3-week continuing resolution from the House. I hope we will be able to reach an agreement to consider that before the end of the week.

MEASURE PLACED ON CALENDAR—H.J. RES. 48

Mr. REID. Madam President, I am told that H.J. Res. 48 is at the desk and due for its second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 48) making further continuing appropriations for fiscal year 2011, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings with respect to the joint resolution.

The ACTING PRESIDENT pro tempore. Objection having been heard, the joint resolution will be placed on the calendar.

LEGISLATIVE COOPERATION

Mr. REID. Madam President, no one can count the number of times this Chamber has heard calls for compromise. That call has come from Senators of good faith, from Senators on both sides. Indeed, it is the very essence of the legislative branch, which was purposefully designed to run on consensus by our Founding Fathers.

As Senators we search for the right arguments, and the right incentives that will help us strike the right balance—a balance that will let the Senate and the country move forward. But there has been no stronger argument for bipartisanship than the series of budget votes over the past few days.

Last week, the Senate voted on two proposals—one written by Republicans and one written by Democrats. Some Republicans voted against the Republican bill and some Democrats voted against the Democratic bill. In the end, neither passed.

Yesterday, the House voted on another Republican proposal. Again, some Republicans voted against their own party's plan—a lot of them did—and some Democrats voted for the

other party's plan. This time, it passed—but only because it had bipartisan support. We don't know what will happen when that same question comes before the Senate this week, but we know we won't see a strictly party-line vote.

The lesson is obvious: Neither party can pass a bill without the other party, and neither Chamber can send that bill to the President without the other Chamber. Therefore, if you're looking for a case study on why cooperation is necessary, that is as clear as it comes.

It is just as obvious that we cannot meet in the middle if one side refuses to give any ground. Both parties and both Houses must be willing to work together. We cannot negotiate without a partner on the other side of the table. We will not find a solution in stubbornness.

I will repeat the request I have made since the beginning of the budget debate. It is a request for reasonableness. It is the same call for compromise and consensus that has always kept this diverse Nation moving forward. It is the same appeal made by one of the great Senators in the history of this country—a Senator whose seat the Republican leader now holds. Kentucky's Henry Clay said:

All legislation is founded upon the principle of mutual concession.

If the Senate and House cannot pass a long-term budget that keeps the country open for business, another reality will be made very plain for the American people to see. It will be crystal clear which party was willing to work toward a common goal and which party lacked the courage to compromise.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders, or their designees, with the majority controlling the first half of the time, and the Republicans controlling the final half.

The Senator from Maryland is recognized.

AFFORDABLE CARE ACT

Mr. CARDIN. Madam President, I take this time to reflect with my colleagues and say that we celebrate today the 1-year anniversary of the passage of the Affordable Care Act, and to reflect how much happened to improve health care in America since the passage of the Affordable Care Act.

We have reason to celebrate. If you are a senior in the Medicare Program, and you now know that you can see your primary care doctor every year for an annual wellness exam, and that wellness exam will now be covered under Medicare, and you will have an opportunity to meet with your doctor and take charge of your own health, you have a reason to celebrate passage of the Affordable Care Act.

If you are a senior who happens to fall within the coverage gap under the prescription drug benefits in Medicare, the so-called doughnut hole, and you have been forced at times to leave prescriptions on the counter of a drugstore because you could not afford to pay the cost of the prescription, and you now know that there is coverage in Medicare if you fall within that gap—for last year, 3.2 million seniors who fell within the gap received a $250 check. This year, the seniors who fall within this coverage gap will receive a 50-percent discount on their brandname drugs. Next year, their benefit will be worth as much as $2,400 and, by 2020, we will close the gap entirely, all as a result of the passage of the Affordable Care Act. So you have reason to celebrate that Congress finally got the job done.

If you are an American family, like many, and you celebrate your child's graduation from college, only to find that your child could no longer be covered under your health insurance policy because of the age restriction, and now you learn that Congress has changed that age to 26, so you can keep your youngster under your family insurance program, and that child now has health insurance, and you are one of 1.2 million people who benefit from this provision that was in the Affordable Care Act, you have reason to celebrate the passage of the Affordable Care Act.

If you are a small business owner who can now afford to cover your employees because of the small business tax credit that was included in the Affordable Care Act—4 million eligible institutions will be eligible for that tax credit, and soon you will be able to get competitive rates. Small businesses today pay 20 percent more for the same coverage large companies have. Congress took action last year to eliminate that disparity. If you are one of those small business owners now benefiting from that tax credit or who will benefit from more competitive rates and better choice, you have reason to celebrate the passage of the Affordable Care Act.

If you happen to be a consumer of health insurance, as almost all of us are, and you want value for your premium dollar, you now know that with passage of the Affordable Care Act, the lion's share of your health premiums must go for health benefits, reining in the excessive administrative costs of private insurance companies, and you know now that Congress has taken action to prevent the abusive practices of private insurance companies, you have reason to celebrate the passage of the Affordable Care Act.

If you happen to be the woman in Maryland, who was hiking in the mountains of West Virginia and fell off a cliff, was unconscious, and was flown to the closest emergency room to receive care and was denied coverage because she did not call ahead for preauthorization, you have a reason to celebrate the enactment of the Affordable Care Act.

Yes, insurance companies have denied coverage for emergency care because of requirements for preauthorization or have denied coverage because the ultimate diagnosis did not meet their standard for reimbursement, even though your symptoms indicated you should seek emergency care. I started working on that issue in 1995, known as the prudent layperson's standards for requiring insurance companies to reimburse their policyholders for visits to emergency rooms, where their symptoms indicated they should go to the emergency room.

In 1997, Medicare and Medicaid were changed in order to provide for the prudent layperson's standard for reimbursement. Now all insurance companies must comply with that standard because of the passage of the Affordable Care Act.

If you are a parent who has a child who has asthma or you have been told that the insurance company won't provide full coverage because of your child's preexisting condition, and now you can get full coverage for your child, you too have a reason to celebrate the passage of the Affordable Care Act.

If you are an adult and have been told you cannot get insurance because of a preexisting condition, such as high blood pressure, or you happen to be like a couple from Montgomery County, MD, who had to get two separate insurance policies because of preexisting conditions, paying two separate premiums and two separate deductibles, and now you know you can get one insurance plan that will cover your family, you have a reason to celebrate, because that too was corrected by the Affordable Care Act that was passed by Congress 1 year ago.

If you happen to be a taxpayer who is concerned about the fiscal soundness of Medicare or the budget deficit, you too have a reason to celebrate enactment of the Affordable Care Act, because the Affordable Care Act extended the solvency of the Medicare system by 12 years, putting it on a safer basis, making it less vulnerable for our budget.

The enactment of the Affordable Care Act reduced the Federal budget deficit by over $100 billion during the first 10 years, and over $1.5 trillion during the first 20 years. This is because, quite frankly, this bill manages illness much more cost effectively. It uses health information technology more effectively and it invests in wellness, and it brings down the cost. That is not what this

Senator is saying has been established; it is what the CBO has told us will bring in savings on our budget deficit. Taxpayers have a reason to celebrate the enactment of the Affordable Care Act.

There is one other reason to celebrate the year's anniversary of the enactment of this legislation. Let me give one more example. A couple of weeks ago I was at the Greater Baden Health Center located about 7 or 8 miles from where we are today. They are doing something about the infant mortality rate in our community. We have too high of an infant mortality rate because of low birth weight babies. Some do not survive and become part of our infant mortality numbers in America where we are much higher than we should be. Others survive and have complications that need to be addressed by our health care system, making it challenging for the infant and expensive for our society.

At the Greater Baden Health Center, they are doing something about that situation. They are expanding their qualified health center to include prenatal care so pregnant women can get the type of attention they need to have healthy babies. That money comes from the Affordable Care Act because of the expansion of our qualified health centers.

We all celebrate what we are able to accomplish. It will keep our children healthier and save us money and have less use of the emergency rooms by expanding care at our qualified centers.

Madam President, if you are concerned about health disparities in America—and you have reason to be—minorities are two times more likely to suffer from diabetes and 33 percent more likely to die from heart disease. In the African-American community, the infant mortality rate is 2.3 times higher than the White community. When we look at the number of people who have access to health care and health insurance, the minority population represents one-third. Yet they are one-half of the people who do not have health insurance.

I think we all agree that we need to do something about that situation. That is not right in our sense of fairness. But let me give one more reason it will save us money.

A study done at Johns Hopkins University and the University of Maryland points out that we can save $260 billion in excess direct medical care costs if we can deal with the minority health disparities. We had done something about that in the Affordable Care Act. An amendment that I was proud to offer established the Institute for Minority Health and Health Disparities within the National Institutes of Health. We have developed minority health and disparity offices in each of our agencies that deal with health care to do something about health disparities in America. We can all celebrate that we are able to move that forward in the Affordable Care Act.

We should all take pride that America at long last, after decades of unsuccessful attempts, has acted. Health care is a right, not a privilege. As our dear friend, the late Senator Kennedy, said: We no longer have a sick care system. We have taken action to include all under health care in America.

I understand the Republicans in the House want to repeal each and every one of these improvements and accomplishments. They offer no hope of taking up these issues in a serious manner during this Congress. Speaking on behalf of our seniors, speaking on behalf of our small business owners, speaking on behalf of the consumers of health insurance in America, speaking on behalf of what is right, as far as covering and making sure everyone has access to affordable care, we do not want to see that happen. We do not want to move backwards. We have reason to celebrate the accomplishments of moving forward with health care. We want to move forward, not back, and continue to build on an American health care system that provides affordable quality care to all Americans.

Madam President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

GAS PRICES ON THE RISE

Mr. MCCONNELL. Madam President, the rising cost of gasoline has become a major source of concern for most Americans. With prices in most States moving closer and closer to $4 a gallon, and already higher in some areas, America has a right to know where the President and Democrats in Congress stand on the issue.

Let me begin this morning with a simple observation that it is no accident gas prices are skyrocketing at a time when Democrats control two-thirds of official Washington. It is no secret Democratic leaders in Washington do not particularly care for this issue. Ask them about gas prices and chances are they will tell you about some car they plan to build and have ready for production about 25 years down the road. Suggest we tap some of our domestic sources of oil and they will give you 101 reasons we cannot and how that is not a real solution anyway because it will take too long to get it out of the ground.

We have been having that particular argument for decades now—literally for decades. Then they have the audacity to step in front of the cameras and tell us they are all for reducing our dependence on foreign sources of oil. With what—windmills?

It is time to be serious about a serious problem. The fact is, there is no reason in the world we cannot invest in future technologies at the same time we are tapping into the resources we already have right here at home and creating jobs while we do it. But Democrats do not seem to like that idea. They would rather force a change in behavior now than giving struggling American families the relief they need from the rising gas prices.

Do not listen to what they say on the issue, watch what they do. Here is what they have done.

Over the past 2 years, the Obama administration has delayed, revoked, suspended, or canceled an enormous range of development opportunities.

One month after the President took office, his administration canceled 77 oil and gas leases in Utah. Once the review was complete, the administration refused to reinstate even a single one.

A month after that, the administration shortened lease terms for offshore oil and gas production and raised fees for permit applications.

Last January, it announced new restrictions for onshore oil and gas exploration in the mountain West.

Last February, it denied a permit to build a bridge needed to access an oil-producing field in Alaska, after the Environmental Protection Agency designated a nearby river an aquatic resource of national importance.

Last April, the administration suspended 61 oil and gas leases in Montana that were issued in 2008 and then announced that all oil and gas leases in Montana, North Dakota, and South Dakota would be delayed indefinitely.

Last May, the President announced a 6-month moratorium on deepwater drilling—a moratorium that has been repeatedly struck down in the courts.

The list of actions such as these go on and on, and that is to say nothing of the proposed new Environmental Protection Agency regulations on energy that would either cause oil refineries to pass along their resulting new production costs to consumers at the pump or drive them and their jobs overseas.

Let there be no doubt, the efforts of the White House are costing jobs and putting even more pressure on gas prices. Paying lipservice to the public's concerns will not solve the problem. Unlocking our own sources of energy at home would help immensely.

Just to give an idea of the kind of resources we have right here at home, consider that just one 2,000-acre section of the nonwilderness sections of the Arctic National Wildlife Refuge, along with the Chukchi and Beaufort Seas, have enough recoverable oil to replace crude imports from the Persian Gulf for nearly 65 years—65 years.

The problem is not that we need to look elsewhere for energy. The problem

is that Democrats in Washington will not let us use it. The problem is that even with gas prices on the rise, they want to tax it even more.

Let's make this simple. I am going to propose just two concrete practical things we can do in Washington to give the American people some relief, create jobs, and help us be less dependent on foreign sources of oil, two ideas that would have wide bipartisan support. Let's increase American energy production, and let's block any new regulations that will drive up the production costs for energy. These are two ideas that will create jobs and alleviate the increasing pressure on gas prices.

Let's leave the ideology aside and do some practical good for Americans who are struggling out there. Let's increase American production of energy with American jobs and stop the job-stifling regulations.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENERGY POLICY

Mr. DURBIN. Madam President, we are all facing the challenge of gasoline prices adding a new burden to family budgeting as well as small businesses and large businesses alike. It couldn't come at a worse time, in light of our recession and unemployment. But it is important for us to put into perspective where we are and how we should resolve this issue.

When we look at the entire known reserves of oil and gas in the world—in the entire world—the United States has 3 percent—3 percent—and each year the United States consumes 25 percent of the energy that is used in the world. So when I hear my colleagues on the other side come to the floor and say we can drill our way out of this, I say to them: That is unrealistic and doesn't reflect the reality of what we face today.

Yes, we should have responsible drilling for oil and gas. We should be sensitive to the environment to avoid the kind of hazards and accidents we saw in the Gulf of Mexico, to protect that part of America and part of the world we believe should be preserved for future generations. But the notion if we could start drilling more our problems would go away is not only naive, it is wrong—flatout wrong.

We heard the chants of ''drill, baby, drill'' a year and a half ago in the course of a Presidential campaign. It is not the answer to America's energy policy, ever. We still import $1 billion worth of oil a day into the United States. It is an indication of our dependence on foreign oil that any interruption in the Middle East or from other sources is going to raise our prices.

What should we do about it? Several things. First, on the immediate agenda, we should look at the Strategic Petroleum Reserve. The President has to decide—and said Friday he was considering—on releasing oil we have saved in this reserve to bring down prices and keep the economy moving forward. I support that. I hope the President will do that.

Secondly, we have to look at ways that the current oil pricing is being gamed by some financiers and speculators. From my point of view, this is something that needs to be not only examined but stopped. This speculation in oil prices runs up prices way too high, way too fast.

Third, take a look at the oil companies themselves. The top five oil companies are extremely profitable and, in the midst of crises, they make even more money. That is the reality.

Then, we need to step back and look at our national energy policy. How do we encourage the use of more efficient cars and trucks? Well, we don't do it by entertaining the amendment by the Republican leader in the Senate. He says the Environmental Protection Agency should step back from even encouraging the kind of fuel efficiency in cars and trucks which reduce our dependence on foreign oil and reduce pollution in the atmosphere. That is a step backward to the past. It is a rejection of basic science.

So when the Republican leader comes to the floor and gives his prescription for today's energy challenge in America, I would say to him: The patient is not going to get well, Senator, with your prescription. We have to have a coordinated energy policy moving toward fuel efficiency, reducing the use of energy, and still fueling our economy with renewable and sustainable sources of energy that don't pollute the atmosphere.

The Senator from Kentucky, who was giving us a speech this morning about energy, actually has an amendment he is preparing for the floor which removes the right of the Environmental Protection Agency to even deal with greenhouse gas emissions as they affect climate change and the world we live in. That is a stick-your-head-in-the-sand approach to an issue which future generations will look back on and say: What were they thinking; that they would ignore the reality of climate change in the world and the reality of what pollution is doing to our lungs, our health, our future. It is a reality that is being rejected by the Republican side of the aisle.

Madam President, I ask how much time is remaining in morning business?

The ACTING PRESIDENT pro tempore. Four minutes on the majority side.

Mr. DURBIN. I thank the Chair.

ANNIVERSARY OF HEALTH CARE REFORM

Mr. DURBIN. Madam President, this is the 1-year anniversary of the President's signing of health care reform, and I am happy to stand and say it represents one of the most important pieces of legislation in decades. For too long, we let our Nation's health care crisis grow and ignored it. People who said let the market work its will, have to be honest about what the market did. The market started excluding people who had preexisting conditions—and who among us doesn't? The market started charging higher and higher prices for health insurance. The market, unfortunately, was uncontrollable.

We tried to deal with it, to bring pricing under control and deal with the realities families face across America. When I was in the most heated debate about the health care bill with tea party devotees in front of my office in Springfield, I told them: Let me tell you about some of the people in Illinois I have met. At some point, the tea party people said: Stop telling stories, DURBIN. We don't want to hear any more stories. Of course, they don't because those stories are the reason we did this. Those stories represent real lives.

Let me tell one of those stories, representing a family who comes from East Peoria, IL. This is Jill and Ric Lathrop. They have two sons, Sam and Nat. One of them has a Superman t-shirt on. They are 12 and 14 years old and they have severe hemophilia. It is a rare and costly medical condition.

Thanks to the twice-weekly injections of blood clotting replacement factor they receive, the boys are able to live happy and healthy lives—and they look pretty darn good in that picture. That lifesaving medication costs roughly $250,000 per child, per year.

For years, the family has lived in fear they would reach the lifetime limit of their insurance plan. That was a reality. Many of these plans had a ceiling that paid no more beyond a certain amount. Well, it happened to them in 2005. The hospital where Ric works as an MRI technician instituted a $2 million lifetime cap on benefits. For most families, that wouldn't even be an issue, but for the Lathrops, who know their annual medical expenses will always total hundreds of thousands of dollars to keep their boys alive, that was devastating.

Rather than waiting for their benefits to run out, the Lathrops moved to Peoria, where Ric found a job that provided insurance without lifetime limits. He moved his family and found a job to get an insurance policy that would keep their boys alive. When the open enrollment period for their health insurance plan rolled around, they waited on edge to see if their insurance would, once again, institute an annual or lifetime limit on care that would force them to move again to ensure adequate coverage for their sons.

Thanks to the bill we passed last year, insurance companies can no

longer place lifetime limits on care. Think about what that means to this family who picked up and moved and looked for a new job to get health insurance to keep their boys alive. Is that what America should be? I think not.

Let me be very blunt about this. As good as this law was, it was not perfect. There are things that need to be addressed, examined, and changed. I have said before, and say again, the only perfect law was written on stone tablets and carried down a mountain by ''Senator Moses.'' Everybody else has been trying and hasn't quite hit that standard. So let's be humble about this and be open to change. But let's not repeal this, as the Republicans have called for time and again. Let's not say to the Lathrop family: Sorry. You are on your own if another lifetime limit comes along that may literally endanger the lives of these two beautiful little blue-eyed boys.

That is what this debate is about. It is a story about a real family. That is why the other side hates to hear these stories, because the stories literally explain why stepping backward in time and repealing health care is exactly the wrong course for America.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

A SECOND OPINION

Mr. BARRASSO. Madam President, we are just about 1 year to the day from the day the President signed into law the health care law that is going to have an impact on all the people of this country. Here we are, 1 year later and we know a lot more about this law and people all around the country know a lot more about this law.

I spent part of the weekend visiting folks in Buffalo, WY, attending the Buffalo health fair. A health fair is a place in the community where people get together and get their blood tested ahead of time. It is very inexpensive. It is based on prevention and early detection—issues this health care law was supposed to address but has failed miserably at. At the health fair, I talked to people who were getting their blood results back, checking their cholesterol, checking their blood sugars to see about diabetes, checking their thyroid levels, and as these people were getting their blood tested—and many people, probably half the population of Buffalo, turned out to have their blood tested—they started asking me questions about the health care law, the kind of questions any American would be concerned about: Am I going to lose my freedoms? Am I still going to be able to keep my doctor? Will it truly get the cost of care down?

Regrettably, this health care law, now 1 year since it has been signed, turns out to actually be bad for patients, bad for providers—the nurses and the doctors who take care of those patients—and bad for the taxpayers, the people left footing the bill because we know a lot more now, 1 year after the law was passed, than we did when it was passed.

People remember this as the law that was crammed through the Senate in the dead of night, written behind closed doors, and all the unseemly bargains that were cut to convince Senators to vote for it, getting by on the barest number of votes. There were things such as the cornhusker kickback, the Louisiana purchase—the sort of things that offended people all across this country. So people are upset with this health care law, No. 1, in the way it was passed: In spite of the fact the President promised it would be seen on C–SPAN, all the discussions were held behind closed doors and despite the fact that many Americans never had a chance to read this 2,700-page law.

When the President made his initial speech about what he was aiming to accomplish in health care reform, I said that would be great. I am an orthopedic surgeon, practiced medicine for 25 years, and I think we need to do the sorts of things the President initially addressed. Unfortunately, the health care law went in the opposite direction. When people worked their way through the 2,700-page bill, they found that instead of lowering the cost of care, the cost of their care was going to go up; instead of allowing people to keep the doctor they wanted, they were going to, unfortunately, have to change that situation. That is why I have been coming to the floor week after week with a doctor's second opinion about this health care law.

So here we are, 1 year later. We know the cost of health care is going up. The President said health care premiums would be lower for families by $2,500. No family has seen that—or none that I know of; certainly none I have talked to in Wyoming, not one. Instead, people have seen the cost of their health insurance going up, not down.

The President said he was never going to raise taxes. It turns out, in fact, there are a lot of tax increases as part of this health care law. Even the 1099 form Senator JOHANNS has championed on the part of small businesses around the country, the efforts to remove these onerous obligations on our small businesses, have nothing to do with health care. That got crammed into this bill in the dead of night so those who support the bill can claim it was going to lower the cost. Even the Congressional Budget Office admits costs are going up, not down, and this is absolutely impacting jobs.

The President promised there would be efforts for small businesses to have some advantages and some tax credits and some help, but what we found out is that if you have a small business with 10 employees and that number climbs to 11, you are going to lose some of those benefits. If you are paying your employees an average of over $25,000 a year and you want to give them a raise, you start losing some of the benefits. So in spite of the fact the President had 4 million postcards sent out to small business owners, very few of them have been able to take advantage of what was promised to them.

Now here we are where additional waivers are being given. We are at a point where over 2.5 million Americans have been given waivers from participating in the health care law. Interestingly enough, these are the very people, for the most part—a significant number—who lobbied for the bill. Once they found out what was in it, they said no, I don't want this to apply to me. Now we see that the State of Maine, the entire State of Maine, has been given a waiver.

I come to the floor today, a year after this has passed into law, and I say everybody in the country ought to be able to get a waiver and opt out of this health care law, opt out completely. These are decisions that should be made at the State level, at the local level. Washington's ''one size fits all'' has hardly ever worked for anything and it surely does not work for health care.

In Wyoming, at the Wyoming Health Fair in Buffalo, as I visited with people and talked to them, do you know what they are worried about? They are worried about losing their freedoms, losing their choice, losing their doctor, losing the health care plan they like. In spite of the President's promises, we know that about 80 percent of people who get their health insurance through small businesses are not going to be able to keep the health care they like. Why? Because of government mandates. Government has said we know what is best for you. You do not, we do. The government says: We know what is best for your family. Government doesn't know what is best. These ought to be local decisions. That is why Senator LINDSEY GRAHAM and I and a number of other cosponsors have introduced legislation to allow States to opt out of this health care law, opt out of the individual mandate, the requirement that forces Americans to buy government-approved insurance.

Let States make that decision if people in their own State need to live under those laws. Let States decide if the employers, the people who are the job creators in our communities, if they have to supply government-approved insurance to the people who live there. Let people make decisions at the local level.

You can lift any newspaper and look at what the Medicaid mandates are doing to our States and the budgets of the States. States such as Wyoming, where we balance our budgets every

year and live within our means, are being crushed by these Medicaid mandates. But it is not just small States such as Wyoming, in terms of population—California, New York, States all across the country are saying to this body: Let us out, let us opt out. We cannot live under these mandates.

The President's solution is to cram more people onto Medicaid, a program that doesn't work, where many doctors will not see these patients, where the reimbursements are so low hospitals say we cannot afford to see these patients because of the impact it will have. Even the actuaries, the people who look at this in the fair and appropriate way to look at the numbers, say 15 percent of the hospitals in this country 10 years from now may not be able to be open because of the way this health care law is going. That is not going to provide more access. It is providing less access.

Why have seniors rejected this so overwhelmingly? Seniors have looked at this and they see $500 billion in Medicare cuts, in things such as Medicare Advantage. There is an advantage to being in that program. That is why one out of four seniors has set up that program and chosen that program. It is because they want choice.

This health care law is one that is taking choice out of the hands of the American families, taking freedom out of the hands of the American families. Something I continue to hear from the people in Wyoming and across the country: We need to repeal and replace with commonsense solutions to allow people to buy insurance across State lines, make it legal to do that; to allow small businesses to pool their resources; to give incentives to individuals who go to something like the Wyoming Health Fair; and work on prevention and early detection of problems. Give those people the opportunity to make individual choices. Expand health savings accounts. Those are the sorts of things we can deal with in a responsible way to help American families get the care they want from the doctor they need at a price they can afford.

That is all the American people are asking for: the care they need from the doctor they want at a price they can afford. They are not getting it under this health care law. It has now been enacted for a full year. The American people know the truth.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNS. Madam President, I rise today to also speak about the health care bill.

The first anniversary of a new law should be a time to celebrate good policy, one would think. The mood surrounding the new health care law is much different. One year later, Americans are demanding as loudly as ever that we repeal it. That is not surprising, considering the almost constant flow of bad news, broken promises, higher costs, and sky-rocketing health insurance premiums.

We did not need a year of bad news and broken promises to know this new law was bad policy. It was fraught with problems even before it hit the Senate floor. Many of us pointed out the inevitable problems within this legislation. We warned how this law was predicated on faulty accounting that would exacerbate our current and future fiscal problems.

It is simply irresponsible and shortsighted to argue that legislation will reduce the debt when it is filled with budget gimmicks. But that is exactly what Congress did when passing this legislation, and we are paying the price.

The administration now admits that the funding elements of this law do not add up. For example, in testimony before the Finance Committee, HHS Secretary Sebelius described the newly created CLASS Act entitlement as ''totally unsustainable.'' Furthermore, in recent congressional testimony, Secretary Sebelius was asked whether the Medicare cuts in the law are used to save Medicare or pay for the health care law. Remarkably, she responded ''both.'' Even a young child knows you can't spend a dollar on a new toy and then spend that exact same dollar to buy an ice cream cone. It is wonderland accounting and even the administration's own Medicare actuary seems to agree. He said the Medicare reductions in the law ''cannot be simultaneously used to finance other Federal outlays (such as the coverage expansions . . .) and to extend the trust fund.''

Double-counting this money is completely illogical and the American people can see through the smoke-screen long ago. But the fiscal problems with this legislation are not even the half of it. As a former Governor, I shared my concern that putting 16 million people into the broken Medicaid Program is a fatal flaw of this law. Medicaid beneficiaries already have a huge problem finding doctors to treat them. Nationwide, 40 percent of doctors will not see a Medicaid patient.

The Medicaid expansion is like giving someone a free bus ticket, and then taking the bus away.

But instead of addressing this problem, the law exacerbates the problem by doubling the number of people on the broken system—Medicaid. If you have an airplane that is already overweight, you wouldn't decide to double the number of passengers to solve the problem, yet that is exactly what the law prescribes.

But even if you overlook the access nightmares created by this expansion, our States simply cannot afford it. States are already struggling to pay their bills and now we are heaping more obligations on them. As a former Governor it breaks my heart we are making those problems even greater.

That is why cash-strapped States are begging us for relief from the crushing Medicaid mandate headed their way.

One didn't have to be a fortune teller to predict the budgetary panic spreading from State capitol to State capitol.

And for what benefit? One year later, many of the promises that were used to sell this law have been debunked. For example, remember the President saying ''if you like your plan, you can keep it''? Turns out, that's not exactly true. Again, the administration's own Medicare actuary concluded that the President's promise is ''not true in all cases.'' Turns out truth seems to be more the exception than the rule with this law. One of the administration's own estimates projects as many as 80 percent of small businesses being forced to give up their current coverage within the next 2 years.

Remember the President promising that he would not sign into law any legislation that did not bring down the cost curve?

In June 2009, President Obama claimed that any health care legislation must control costs. He said, ''If any bill arrives from Congress that is not controlling costs, that's not a bill I can support. It's going to have to control costs.'' One is left to wonder why the President signed this law since his own actuaries estimated it would increase Federal health care spending by $310 million.

Earlier this year, the Medicare actuary provided a moment of sad truth. He testified that President Obama's promise that the health care law would lower costs was ''false, more so than true.'' That is so astonishing that I will repeat it again—the administration's own experts said the President's promise was false, more so than true. That is astonishing.

Remember how the President promised that the health care law would bring down the cost of insurance premiums? As a presidential candidate, President Obama promised no fewer than 20 times that he would cut premiums by $2,500 for the average family by the end of the first term. Yet the average employee's health insurance premium has risen by nearly $1,100 per family since President Obama took office. A recent New York Times article highlighted this missed opportunity:

> Groups of 20 or more workers have been experiencing premium increases of around 20 percent, insurance agents say, while smaller groups are seeing increases of 40 percent to 60 percent or more.

Finally, the first year of implementing this law provides clear evidence that the administration does not think this health care bill is good for everyone. The administration has now granted over one thousand waivers to certain States, employers, unions, and insurance companies, allowing them to be exempt from several of the law's new mandates.

The plans approved for waivers cover nearly 3 million individuals. If the law is so popular and so beneficial, why are we exempting almost 3 million people while the other 300 million have to live with its higher premiums and mandates? This and many other questions

have yet to be answered by the administration.

However, the President's recent budget request does outline his game plan to advance this flawed policy. The current strategy seems to be spending more taxpayer dollars to continue to try to convince a skeptical public that the health care law is good policy; and if they don't agree, use an enforcement hammer to ensure compliance.

Buried within the President's budget is a request for a 315 percent increase for the public affairs office at the Department of Health and Human Services. One of the primary tasks of the Public Affairs Office is to sell the health care reform law to the American people. Furthermore, they also requested a whopping 1,270 new Internal Revenue Service agents to implement the law and to enforce its individual mandate and other related provisions.

While Speaker PELOSI may have advocated passing the bill so that we could learn what is in it, many Americans were not so naive. They understand that you can't spend the same dollar twice. They understand that if something sounds too good to be true, it probably is. They know when someone shows up from the government offering a carrot, there is probably a stick not far behind.

Last year, a real opportunity to craft health care policy on a bipartisan basis was squandered. That missed opportunity will continue to haunt us.

Unfortunately, I worry that the second year under the oppressive provisions of this law will be no better than the last. It is regrettable that we have reached this point, having known so many of these problems existed before this law passed. But of course we were warned.

So, I will use the occasion of the solemn first anniversary to redouble my efforts to right the wrong.

We will work to wipe this misguided law from the books to protect the rights of Americans to choose their doctor, select their insurance, and trust in their own good judgment. Many are committed to the cause. I believe it will happen.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

SBIR/STTR REAUTHORIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

Nelson (NE) amendment No. 182, of a perfecting nature.

McConnell amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change.

Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.

Inhofe (for Johanns) amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments.

Snowe amendment No. 193, to strike the Federal authorization of the National Veterans Business Development Corporation.

AMENDMENT NO. 182

The ACTING PRESIDENT pro tempore. Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 182, offered by the Senator from Nebraska, Mr. NELSON.

The Senator from Nebraska.

Mr. NELSON of Nebraska. Madam President, I rise to speak on my amendment proposing a sense-of-the-Senate agreement to cut the Senate's budget by at least 5 percent.

When I go home every weekend, people come up to me at the grocery store, hardware store and elsewhere, and they tell me they are concerned about our national debt and deficit. They want Washington to cut spending and bring down the cloud of debt that hangs over our economic environment.

As chairman of the Senate Appropriations Legislative Branch Subcommittee, I have been pursuing a 5-percent cut in this year's budget for Congress and agencies and offices on Capitol Hill. We cut this budget a year ago, we are cutting it this year, and we will be back for further cuts next year.

My amendment says that as Congress pursues comprehensive debt reduction while conducting major military action on two fronts, all in the midst of a fragile economic recovery, Congress still should not be exempt from the pain. Fiscal restraint starts at home and with our own budget.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi.

Mr. WICKER. Madam President, I rise to agree with my colleague from Nebraska, to support his amendment, and to congratulate him for his newfound enthusiasm for this idea.

Actually, on January 10, the House of Representatives passed a rule to reduce its spending by 5 percent. This measure was passed on a rollcall vote of 410 to 13. Soon thereafter, I was the first Senator to call on my colleagues in the Senate to cut their office expenditures by 5 percent. This small but symbolic step could save the taxpayers over $20 million.

On February 4, some 6 weeks ago, I requested unanimous consent to take up a sense-of-the-Senate resolution I authored, urging all Senators to take such action. Unfortunately, at that time and since then, there has been an objection from the other side of the aisle to this unanimous consent request.

My effort was bipartisan. I was joined by 14 of my colleagues, Republicans and Democrats, and I thank them.

We now have an agreement to take up my sense-of-the-Senate resolution by unanimous consent later in the day so as to expedite and refine enactment of the provisions of the Nelson amendment. Based on that understanding——

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. WICKER. I commend the Senator from Nebraska for coming to this idea somewhat late. But I support his amendment nonetheless.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Is there any time remaining?

The ACTING PRESIDENT pro tempore. There is no time remaining.

Ms. LANDRIEU. Madam President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—98

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Hatch	Paul
Blumenthal	Hoeven	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kerry	Schumer
Carper	Kirk	Shaheen
Casey	Klobuchar	Shelby
Chambliss	Kohl	Snowe
Coats	Kyl	Stabenow
Coburn	Landrieu	Tester
Cochran	Lautenberg	Thune
Collins	Leahy	Toomey
Conrad	Lee	Udall (CO)
Coons	Levin	Udall (NM)
Corker	Lieberman	Vitter
Cornyn	Lugar	Warner
Crapo	Manchin	Webb
DeMint	McCain	Whitehouse
Durbin	McCaskill	Wicker
Ensign	McConnell	Wyden
Enzi	Menendez	

NAYS—1

Sessions

NOT VOTING—1

Rockefeller

The amendment (No. 182) was agreed to.

The ACTING PRESIDENT pro tempore. The motion to reconsider is considered made and laid on the table.

AMENDMENT NO. 193

Under the previous order, there is now 2 minutes of debate equally divided prior to a vote in relation to amendment No. 193 offered by the Senator from Maine, Ms. SNOWE.

The Senator from Maine is recognized.

Ms. SNOWE. Madam President, this bipartisan amendment is supported by me; Chair LANDRIEU; Senator KERRY, the former chair of the committee; Senator COBURN; and Senator WEBB.

This amendment is based on a report that was conducted by the Small Business Committee back in 2008, when Senator KERRY was chair of the committee, and we both requested an investigation into the National Veterans Business Development Corporation, also known as TVC, and found egregious mismanagement. TVC was engaged in mismanagement, misuse of taxpayer money, and did not abide by its statutory obligations.

Our committee issued a very detailed report explaining how they misused hundreds of thousands if not millions of dollars. In light of our investigation and subsequent efforts, they do not receive any federal appropriations now.

But we want to remove them from statute so they do not have any Federal linkage, any Federal charter, or any ability to use the auspices of the Federal Government for any activities in the future.

So I urge support of this amendment and note that both the Veterans of Foreign Wars and the American Legion supported discontinuing the funding for this organization, after our report was released.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I will speak for just a moment, if I could.

I know people in Washington and people in America do not believe we can actually eliminate a program. We are getting ready to eliminate one now in a bipartisan fashion to cut funding and to cut a program that has not worked. I just want to underline that we most certainly can do that in a bipartisan way. That is what this vote is about.

I do not believe there is any opposition, so I yield back the remaining time.

Ms. SNOWE. Madam President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 42 Leg.]

YEAS—99

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Hatch	Paul
Blumenthal	Hoeven	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kerry	Schumer
Carper	Kirk	Sessions
Casey	Klobuchar	Shaheen
Chambliss	Kohl	Shelby
Coats	Kyl	Snowe
Coburn	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Leahy	Thune
Conrad	Lee	Toomey
Coons	Levin	Udall (CO)
Corker	Lieberman	Udall (NM)
Cornyn	Lugar	Vitter
Crapo	Manchin	Warner
DeMint	McCain	Webb
Durbin	McCaskill	Whitehouse
Ensign	McConnell	Wicker
Enzi	Menendez	Wyden

NOT VOTING—1

Rockefeller

The amendment (No. 193) was agreed to.

The ACTING PRESIDENT pro tempore. The motion to reconsider is considered made and laid on the table.

The Senator from Arizona.

Mr. MCCAIN. Madam President, I ask unanimous consent to engage in a colloquy with the distinguished Republican leader for 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEFENSE APPROPRIATIONS

Mr. MCCAIN. Madam President, I say to my friend and leader and to all my colleagues, it is of deep concern to the Secretary of Defense and to this Member, and I am sure many other Members, that we are defending this Nation on a 2-week-to-2-week basis, and it is harming our ability to defend this Nation's national security. I know we are probably now going to go into another 3-week continuing resolution.

Is it the intention of the Republican leader, along with myself and others, that we will not do another continuing resolution unless we take up a Defense appropriations bill for the year? We can't do this to the men and women who are serving—deprive them of the equipment, the training, and wherewithal—when we are in two wars. It is vital, in my view, that we not allow another continuing resolution without addressing the Defense appropriations bill for, hopefully, what should be the remainder of the year.

Mr. MCCONNELL. I would say to my friend from Arizona, he is entirely correct. I don't intend, myself, to support another continuing resolution. It does not contain the full-year Defense appropriations bill. I think everybody understands the urgency of that. My friend from Arizona, our leader on these issues, has been very clear and articulate about it. I can say with total confidence that the House and Senate are not going to be passing another continuing resolution without the funding for the Defense Department for the remainder of this fiscal year.

Mr. MCCAIN. I thank the Republican leader, and I thank my colleague from Louisiana. I hope this message is transmitted to our friends and colleagues on the other side of the Capitol; that they should not send over another CR without funding the Defense Department for the rest of the year.

Mr. MCCONNELL. I would say to my friend, I believe his position is shared by the leadership of our party in the House, and I think there is no chance we will not complete work on the Defense appropriations bill in the next few weeks.

Mr. MCCAIN. I thank the Senator.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, before I get into the business before us, which is SBIR and STTR reauthorization, a very important small business program, let me just add a few thoughts to the colloquy of the Senator from Arizona and the minority leader. I would most certainly support that view, and there may be others on the Democratic side who feel that way as well. As chair of the Homeland Security Appropriations Committee, let me be very clear that I don't think we should go to another short-term CR without a full-year appropriation of Homeland Security. Not only is the Defense Department appropriations bill absolutely essential to the well-being of this Nation, but so is the Homeland Security budget. They have complete jurisdiction over Customs and Immigration, over safety and security at our ports and our airports and train stations. We most certainly can't let our guard down as it pertains to our overseas operations, but we absolutely cannot let our guard down as it pertains to our safety here at home.

I hope both Republican and Democratic leadership, as we find our way through this complicated and difficult appropriations process, will remember Defense and Homeland Security.

I see Senator CORNYN on the floor. I know he is going to call up, with no objection from me, his amendment.

AMENDMENT NO. 216

Before that, I ask unanimous consent to call up Casey amendment No. 216 to be put in the pending column. Senator CASEY will be here shortly to discuss his amendment, and then we will go in just a minute to Senator CORNYN.

The ACTING PRESIDENT pro tempore. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU], for Mr. CASEY, proposes an amendment numbered 216.

Ms. LANDRIEU. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require contractors to notify small business concerns that have been included in offers relating to contracts let by Federal agencies)

At the end of title III, add the following:

SEC. 3 ___. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(13) NOTIFICATION REQUIREMENT.—

''(A) IN GENERAL.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall—

''(i) notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer; and

''(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).''.

Ms. LANDRIEU. Our intention is for Senator CASEY to have an opportunity when he comes to the floor.

Before Senator CORNYN speaks, for just one moment I wish to add a few comments about what happened this morning. We did get two amendment votes on the bill. Those were the first two amendments, the Nelson of Nebraska amendment, and then Senator SNOWE and I offered an amendment. We have approximately six other amendments pending not yet scheduled for a vote. Most of them were discussed at some length yesterday on the floor, the most notable Senator MCCONNELL's amendment, which Senator BOXER and others strongly opposed.

I wish to say one thing, as respectfully as I can, in response to a comment Senator WICKER made regarding the Nelson amendment. He said something along the lines that Senator NELSON had found some new—how did he say it—new-found enthusiasm for cutting the budget. In defense of Senator NELSON, I wish to say his enthusiasm is most certainly not new found. He has been a leader on our side in cutting the agencies and departments respectfully and appropriately under his jurisdiction. He has been the lead sponsor of legislation for a long time that has cut legislative spending. I might say it is very difficult with his bill because he also has had to absorb $22 million in additional expenses related to the operation of the Visitor Center which all of our constituents enjoy and support. So he has absorbed that into his operating budget and still managed to cut.

I know Senator WICKER is relatively new to the Senate, but I do wish to remind him and others that Senator NELSON has been a leader in that field.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

AMENDMENT NO. 186

(Purpose: To establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending)

Mr. CORNYN. Madam President, I ask unanimous consent to call up amendment No. 186 and ask for its immediate consideration, and I ask unanimous consent that any pending amendments be set aside.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN] proposes an amendment numbered 186.

Mr. CORNYN. I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in the RECORD of Tuesday, March 15, 2010, under ''Text of Amendments.'')

Mr. CORNYN. Madam President, this is a very important amendment, which addresses the three critical issues that face our country today: too many people out of work, the Federal Government engaged in runaway spending, and our unsustainable national debt. This actually comes from a portion of President Barack Obama's fiscal commission report, which pointed out a Texas program that had been in place since 1977 and its impact on providing oversight and review of wasteful or no longer needed programs for spending.

That is what this amendment does. It establishes a bipartisan U.S. Authorization and Sunset Commission.

Actually, it would be composed of eight Members of Congress, who would go through programs that have spending associated with them but have not been authorized by the Congress, and who review redundancies and duplicative programs such as those pointed out most significantly by the General Accounting Office within the last week to 10 days.

As I said, this is modeled after the sunset process that my State instituted in 1977, which has been enormously successful. It has eliminated more than 50 different State agencies and saved taxpayers in the hundreds of millions of dollars.

I ask unanimous consent that Senators VITTER, ENZI, DEMINT, RUBIO, PAUL, ENSIGN, AYOTTE, and RISCH be added as cosponsors to my amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. This is what the President's own fiscal commission has said about such a concept. I know Members of the Senate and the political parties are divided about many things, but this is something that should be noncontroversial and should be bipartisan. I hope my colleagues will listen briefly and consider cosponsoring and joining us in passing this important amendment establishing this sunset commission. Again, this is what the President's own fiscal commission said about this concept:

> Such a committee has been recommended many times, and has found bipartisan support. The original and arguably most effective committee exists at the State level in Texas. The legislature created a sunset commission in 1977 to eliminate waste and inefficiency in government agencies. Estimates from reviews conducted between 1982 and 2009 showed 27-year savings of over $780 million, compared with expenditures of $28.6 million. Based on the estimated savings achieved, for every dollar spent on the sunset process, the State received $27 in return.

We all know the challenges we face in Washington when it comes to proper oversight. Once programs are created—even so-called temporary programs—they tend to take on a life of their own. Indeed, I think that must be what Ronald Reagan was talking about in one of my favorite quotations, when he said that ''the closest thing to eternal life here on earth is a temporary government program.''

We all know what happens once a program is created. A constituency is created, and they come in and ask for a cost of living or other increase, and they grow and grow, and there is no one—I am not criticizing the standing committees, but there is not adequate time or opportunity given to looking at these programs to see whether they are still needed or whether their budgets are justified. So you see these programs growing and Federal spending growing and no real time and effort given to cutting out wasteful spending and eliminating programs that have not been authorized or which are duplicative or redundant, as pointed out by the GAO.

My hope is that when we soon have a chance to vote on this amendment, we can all answer this important call. I think in the process we can ask the single most important question Congress can ask when it comes to spending and programs, which is: Is this program still needed?

A sunset commission would help us do our job of oversight and accountability. It would help rein in runaway Federal spending and, hopefully, along with growth in the private sector and investments by the job creators and entrepreneurs, help us get past where we are now, where we have not only runaway spending but unsustainable debt, and a private sector sitting on the sidelines not creating new jobs the way we need them to do it.

I yield the floor and thank the manager.

Ms. LANDRIEU. Will the Senator yield for a question on his amendment?

Mr. CORNYN. Yes.

Ms. LANDRIEU. Most of the programs I am familiar with at the Federal level have built-in sunsets, because they have limited authorization.

How does the Senator's amendment either override that or undercut that? Why is his amendment necessary?

Mr. CORNYN. Madam President, I am glad to respond to the question. As the Senator knows, many programs that are currently up and running are operating on the basis of an appropriation without an authorization by the committee of jurisdiction, and that is part of what the sunset commission would look at because, frankly, it hasn't been authorized, the kind of oversight that is needed in order to scrub the numbers and make sure the program is still necessary and the spending is appropriate doesn't happen.

This also is designed specifically to deal with what the GAO pointed out in the last 7 to 10 days, where we have dozens of programs designed to do exactly the same thing. In other words, rather than making sure that existing programs work, we tend to layer those on over time, forgetting that those existing programs are even there. So this would be designed primarily to do two things: one, to deal with programs where there is spending because there has been an appropriation made but no authorization; and it would also deal with that duplication.

If, in fact, Congress comes back and authorizes the program, that is one way they could respond to the report of the commission.

Ms. LANDRIEU. I thank the Senator. I will comment, and I know the Senator wants to genuinely root out the waste and duplication. I only say that for programs that are operating under appropriations only. The Senator will know that that authorization is only intact for 1 year under the general rules. When you appropriate money, it is only for 1 year at a time. It can only be extended by an act of this body every year. On the authorizing programs, to my knowledge—and I will get the committee to check on that—Homeland Security has jurisdiction over government operations. It is my understanding that every authorized program has a length of time and that each committee here is responsible for their own oversight.

If the Senator is suggesting that committees either can't, or don't, do their work and we need an extra commission, we will consider that. I understand what the Senator is trying to do. I will have the Homeland Security team look at it on our side and we will respond.

Mr. CORNYN. I don't think anybody believes the way things are operating now is appropriate. What this does is it seeks to bring a new set of eyes, particularly regarding the spending levels in programs—whether they are necessary. As the President's own fiscal commission pointed out, this is not a partisan issue. We know with that kind of increased scrutiny, we can begin to cut out duplicative and unnecessary spending and prioritize those that are important, such as homeland security.

Part of the problem we have is that the spending levels we have now make it almost impossible for us to decide what our priorities are and fund those because everything seems to be a priority. Well, everything can't be a priority, everything cannot be essential. This is a commonsense approach, based on an effective State model, that would allow Congress to do its job better and deal with the most important issues that face the country today, which is runaway spending and unsustainable debt, and too high unemployment.

I yield the floor.

Ms. LANDRIEU. I thank the Senator from Texas.

Hopefully, as we go through the day, we will have a discussion on that amendment and others. I will try to give a recap. My ranking member is on the floor, and we wish to proceed today as we did yesterday, fairly orderly. We have made progress. We got two amendments voted on already. There are now several amendments pending. I want to ask this for clarification. We have Johanns 161, Vitter 178, McConnell 183, Casey 216, and Cornyn 186. Those are all pending, but no time has been established for a vote. Can I ask the Chair to confirm that?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Ms. LANDRIEU. Can I also ask the Chair this: We have filed and discussed Hutchison 197, Paul 199, and Sanders 207, which are not pending but have been discussed on the floor. Does that list exist at the desk?

The ACTING PRESIDENT pro tempore. Those amendments have been filed and will need to be offered.

Ms. LANDRIEU. Let me say again how pleased I am that only a handful of amendments out of the 68 that are pending actually pertain directly to the programs we are getting ready, hopefully, to authorize. Actually, out of the 68 amendments pending, only 14 are related to this particular program, and 3 others to the Small Business Administration itself. I want to believe that is because Senator SNOWE and I have tried hard to take all Members' views into consideration as we have moved the bill through the process. As I said, yesterday, we worked on reauthorization of this important program—the largest Federal research program for small business in the country, the largest program—we have worked on this reauthorization for 6 years. So in the last three Congresses this bill has been debated, both in committee and on the floor, in the House and in the Senate. It has been modified many different times to accommodate different views.

The great news is that the bill is still strong, very focused. It provides an additional percentage of funding for small business so they can actually have access to the research and development dollars like big businesses, which often have better access. It gives an open door and an opportunity for small businesses—for some of our best patents, our best inventors, our strongest risk takers, which are often very small startups. We want to encourage that, because the country is fighting its way—and I mean that—out of this recession. It is not easy, and it will not happen automatically. It will happen by what actions the Federal Government takes, State governments, and local governments, creating atmospheres so the private sector can grow. This bill helps to improve that atmosphere. That is why we are talking about this.

Many people have come to the floor and said: Why aren't we talking about closing the deficit? We are talking about reducing the deficit and debt, because one of the ways we do that is by creating private-sector jobs. This bill is one of the bills filed in this Congress—I am not saying it is the top or the absolute best, but I can promise you that it is one of the best bills that is filed that will have a direct and immediate impact on job creation in America. That is why Senator SNOWE and I are spending our time talking about it because it is a jobs bill. It is also a deficit closing bill. It is also a debt reduction bill. It is also a great bill that is going to help level the playing field between large and small companies and say to some of those risk takers out there who look at Washington and shake their head and say, What is going on, doesn't anyone pay attention to us, yes, we are paying attention, we know you are out there. We know if we can provide open-door access to Federal Government research and development dollars, we can have literally hundreds of companies grow and expand.

One example I gave yesterday—and I will give many more today—is Qualcomm, unknown 35 years ago. It started in Dr. Jacobs' den. It received early funding through this program, SBIR. They received multiple grants. You can get multiple grants as your technology improves and it shows promise. Of course, it showed promise. At a point, they were recognized by the venture capital community and investors came in. History has shown now that company employs 17,500 people and last year their local San Diego-based company paid taxes to local governments in California and around the country of $1 billion. That covers half the cost of this entire program—one company.

That is why Senator SNOWE and I have spent so much time on this reauthorization and why she has been fighting for this program for actually almost 20 years, since she was a Member of Congress. This program is one that works. We have tweaked it. We have improved it. We are extending our authorizations from 4 years to 8 years to give certainty.

Those are some of the comments I wanted to make about the bill. We have, as I said, 68 amendments that have been filed. I ask Members, if they are interested in getting their amendments pending, to come to the floor to see what we can do to work that out. I

am not sure we will get to final passage of the bill this week, but we want to do as much work on the bill as we can so when we get back, it will hopefully be the first order of business. We will see. Maybe there will be a breakthrough in the next 2 or 3 days and we can get it done before we leave. That would send a positive signal. We are working with the leadership to see if that can be done. If not, we will continue to work this week to get as many amendments offered and pending and some votes today and tomorrow.

I see the ranking member on the floor. I wish to turn the time over to her now.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. SNOWE. Madam President, I certainly concur in the comments that have been made by the Chair of the Small Business Committee, Senator LANDRIEU, who has exhibited tremendous leadership in bringing these initiatives to the floor for reauthorization. It has been a long journey for these programs, reaching the point of reauthorizing them for the first time since 2008. In the intervening years, the programs have had to rely on multiple extensions to continue to operate.

These programs are of indisputable value to the growth in America when it comes to innovation and invention on the part of small businesses. They undeniably have been critically effective. When they have had access to venture capital and research and development dollars that are available in more than 11 agencies across the government, including the National Institutes of Health, the Department of Defense, the Department of Energy, to name a few, they have provided invaluable support to the entrepreneurial spirit that is so critical to this country.

As the Chair indicated, it is the small businesses in America, the one segment of the economy that undeniably creates the kinds of jobs that are so important to this country. In fact, they create two-thirds of all the net new jobs. We have to do everything we can to make sure that they are getting access to the kind of capital and support and the research and development dollars that are available at the national level.

These two programs, were created back in 1982. As the Chair indicated, I was an original cosponsor of that legislation when I was serving in the House of Representatives because we knew it could ultimately be a great catalyst for innovative and technological ideas in America. It has provided it, without question.

The National Academy of Sciences study of the SBIR Program—which is a landmark study—called the program sound in concept and effective in practice. Just over 20 percent of companies they surveyed were founded partly or entirely because of the SBIR program. Over two-thirds of the respondents said that the SBIR projects would not have taken place without the funding. Each year, over one-third of firms awarded SBIR funds participate in the program for the first time.

Again, it is encouraging innovation across a broad spectrum of businesses and creating additional competition among suppliers for the Federal Government's procurement agencies. We see that it produces over and over again the benefits, the jobs, the creativity.

The Chair spoke about Qualcomm. That is true. We saw the Sonicare toothbrush. In May, we had a company called Tex Tech that developed armor for our troops in Iraq and Afghanistan. If we can give the infusion of these dollars—dollars already being expended by Federal agencies but redirected to small businesses and making sure that they are getting a fair share of the Federal pie—then they can put that money to good use in creating the kinds of jobs and the inventions that are so important to moving this country forward in the 21st century.

I am very pleased we are at this point. Hopefully, we will be able to get this legislation through and signed into law because it is critical to venture capital investments. It is a prominent source of investment in biotechnology research and development. As we know, it takes 10 to 15 years of work and hundreds of millions of dollars to bring a drug to market and to complete the testing of the drug process along the way costs millions of dollars. The biotechnology companies are able to commercialize their technologies with this kind of backing from these programs and money that is being expended at the Federal level in these key agencies, such as the National Institutes of Health. Such investments in biotechnology and medical device industries totaled more than $1 billion in 2007.

Again, it is a demonstration of the kind of value and results we achieve through this program without providing additional Federal appropriations. It is not as if we are spending more money on a new program. We are not. What we are saying is that with the research and development dollars that are already being appropriated within the Federal agencies, we are asking that they set aside more than $2.5 billion in Federal research and development to fund our Nation's smallest firms because they are the ones that are most likely to create the jobs and to commercialize their products. They have demonstrated time and again, year after year, at an all-time high, that the innovations coming out of small businesses are directly through these two programs. Their inventions reach the marketplace. They commercialize them.

Qualcomm, 25 years ago started with a $1.5 million grant from the SBIR Program. They had less than a dozen employees. Currently, they have more than 17,000 employees in their company, and are a multibillion dollar Fortune 500 company. Again, it is an example how this program can work.

The Information Technology Innovation Foundation indicated in its report recently that 25 percent of the top 100 innovations came from small businesses funded through the SBIR Program, and stated further that it is a powerful indication that this program has become a key force in the innovation economy of the United States.

If there were ever a time that we should be supporting these programs and promptly and expeditiously, it is here and now. We saw last month where we created 200,000 jobs. But the month prior was 36,000 jobs. In order to reach prerecession levels of unemployment, it would take eight consecutive years of creating jobs at a rate of 200,000 a month in order to achieve the prerecession levels of unemployment of 5 percent.

That is an indication of how far we need to go to create jobs in this economy, and it is creating the anxiety, the apprehension, the fear all across this country because people are struggling to find jobs or to keep the ones they have. This would go a long way to benefitting the sector of the economy that does create the jobs, and that is, of course, small businesses.

Again, I hope that we can move quickly to get this legislation enacted and signed into law and create the kinds of jobs people in this country undeniably deserve.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, at this time, Senator CASEY, whose amendment is pending, wishes to speak a few minutes. I know at 12 o'clock, under a unanimous consent agreement, we will have a speech from the Senator from Connecticut.

I ask unanimous consent that at 2:30 p.m., Senator PORTMAN be recognized for up to 20 minutes as in morning business for the purpose of giving his maiden speech.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, first, I thank Senator LANDRIEU for her leadership on these many issues and especially on this critically important legislation to small businesses and for allowing me for a few minutes to talk about the amendment I have submitted. It is amendment No. 216. It addresses a crucial issue that affects subcontractors, particularly subcontractors who are minority owned or women-owned firms in the United States of America.

When I was the auditor general of Pennsylvania, we audited a similar program at the State level and found all kinds of problems, all kinds of abuses when prime contractors do not do what they are supposed to do. In many instances, prime contractors will routinely list a minority-owned firm or women-owned firm to make their application in a competitive process

without informing the named subcontractor. It puts that subcontractor at a disadvantage. Once the contract is awarded, the business is not given to the named subcontractor.

The purpose of this amendment is very simple. It will ensure that all subcontractors are aware of their inclusion in Federal procurement bids by prime contractors and establish a system in which those subcontractors can report any fraudulent activity. It is a simple but critically important remedy to part of this problem. We have more work to do on this issue, but it will give subcontractors the ability to more fairly and more fully participate in contracting. That is the least we should be doing at a time when so many small businesses are struggling to survive and to thrive.

I am grateful Senator LANDRIEU gave me this opportunity. I yield the floor.

Ms. LANDRIEU. I thank the Senator from Pennsylvania. I do intend to support his amendment. It is an excellent one. Hopefully, we can get a vote on it sometime today or tomorrow.

At this time, pursuant to a unanimous consent agreement, we will hear a speech from the Senator from Connecticut.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Connecticut.

FIGHTING FOR CONNECTICUT'S INTERESTS

Mr. BLUMENTHAL. Mr. President, the people of Connecticut sent me here to fight for their interests and today I rise to amplify their voices and share their concerns in my first remarks from the floor of the United States Senate.

I know these voices firsthand from listening day after day, year after year, traveling the State to be with people and to see people where they live and work, and recently on a 2-week listening tour as one of my first actions as a Member of the Senate.

What I am hearing is people are still hurting, still struggling, trying to stay in their homes, make ends meet, find jobs, and keep their families together. They feel rightly that Washington is not listening, Washington is not heeding their voices or responding with the right action or results.

The people of Connecticut are clear about their priorities. They want to be back at work with good jobs and a growing economy and responsible, smart cuts in government spending to reduce our debt and deficit. They want to know that Washington is listening to them and that their leaders are fighting for them, standing up and speaking out against powerful special interests and predatory wrongdoing. And that is the kind of listener and leader they sent me here to be.

In the northeast corner of my State, known as the ''Quiet Corner,'' the president of Nutmeg Container Corporation, Charlie Pious, tells me he is hoping to hire more workers, but he has difficulty finding people with the skills he needs.

Not far away, in Putnam, at a meeting at the Putnam Bank with chairman Thomas Borner, one after another small business leaders tell me they could create more jobs with more certainty and consistency in government action.

In Hartford, our State's capital, we celebrate a Jobs Corps graduating class—kids who dropped out and came back through training and determination.

In Bridgeport, unemployed, older workers are crowding the WorkPlace, a highly successful job training center. There and all around the state, people simply want work.

At the Fuel Cell Energy Corporation in Torrington, R. Daniel Brdar, the president of this cutting-edge green energy manufacturer, plans to expand his workforce, but he needs to know that he can continue to count on the renewable energy tax credit and workers with the right skills.

In Waterbury, at a meeting hosted by Joe Vrabley, president of Atlantic Steel, small business manufacturers described again and again how they are facing unfair competition from companies in countries breaking the rules.

At Crescent Manufacturing in Burlington, Steve Wilson demonstrates the destructive consequences of Chinese currency manipulation, when they effectively devalue their money and subsidize their exports so the prices of their products undercut Connecticut-made goods and jobs.

The people of Connecticut don't need Washington to tell them what is wrong; they need help making it right. They want job creation to be the priority in Washington, just as it is in Connecticut. They are frustrated because Washington seems beholden not to them but to some of the financial gamblers who made the economy their own personal casino and put millions of Americans out of work and out of their homes.

On Main Street, small businesses struggle to get started and ongoing businesses face roadblocks when they try to grow. They can't get capital, credit, or loans. They can't find workers with the skills they need. They face unfair trade practices from foreign governments promoting the products of their manufacturers.

Taxpayers are angry for good reason, not just for themselves but for their children and the growing danger to the American dream, the great fear they will be the first generation to leave the next a lesser America and trillions in unpaid bills.

A new report from the Government Accountability Office documents what we instinctively have known: Waste and duplication in government costs taxpayers billions of dollars every year—early estimates say between $100 billion and $200 billion. And experts say we could save tens of billions of dollars by aggressively prosecuting health care waste and abuse, just as we saved millions of dollars going after health care fraud when I was attorney general.

The people of Connecticut—indeed, of America—will not tolerate and should not tolerate billions in waste and duplication. It must be cut. That is where we should focus, not on the thoughtless slashing of essential services that provide a safety net for our most vulnerable citizens. When we cut, let's be smart about it.

The people of Connecticut are sick of the special breaks and tax loopholes that have been protected for far too long—tax breaks to companies that send jobs overseas; subsidies to huge oil and gas interests, some of them the most profitable companies in the history of the planet; and giveaways to giant agribusinesses, many given tax dollars not to grow anything.

Shutting down those loopholes and special breaks and sweetheart deals will take a fight, but the people of Connecticut and the country are ready for that fight, and so am I. And we must fight. That fight will require support for the prosecutors and enforcers who prevent and go after waste, abuse, and lawbreaking. Cutting enforcement funds may make appealing political sound bites until we realize that real-world lawlessness has real-world consequences. Consistent, vigorous enforcement is critical. Good cops on the beat make a difference.

These steps—responsible cuts in spending, clear rules, and consistent, rigorous enforcement—are absolutely necessary to help our economy grow again, but they alone are not enough to create jobs. Washington must provide tools and remove obstacles to the people and small businesses that are the real job creators. We have to make ''Made in Connecticut'' and ''Made in America'' mean something again. We must invest more, we must make more, and we must invent more right here in the United States.

Step No. 1, we must invest more. We must invest in infrastructure and education—in roads, transmission lines, and airports, in everything from our grade schools to our community colleges and job-training programs. In New Haven, as just one example, cutting-edge biotechnologies are taking root and growing thanks to the Downtown Crossing project, where a new building and road rebuilding are necessary for dynamic growth. Instead of thoughtless threats to slash Downtown Crossing transportation grants, we should be encouraging this promising development.

In the coming weeks, I will introduce new legislation that will help small businesses to set aside money to invest and reinvest in their business.

Step 2, making more, which means more manufacturing and fair trade, and strengthening ''Buy American'' requirements to ensure that our tax dollars are creating jobs here not abroad. Chinese currency manipulation is costing us jobs and undermining our businesses, and it must be stopped. And we need stronger enforcement of laws to prevent foreign export subsidies and intellectual property theft.

Third, we must invent more. The renewable energy tax credits and other incentives which encourage businesses to create and produce green energy solutions should be made permanent. The R&D tax credit, which creates incentives for businesses to invest in research, should be extended indefinitely and expanded.

The people of Connecticut want bipartisan efforts to achieve job creation and economic growth. They want partnerships among business, labor, and education. They want bipartisan efforts to help our veterans so that after those veterans serve our country, they return to a paycheck instead of an unemployment line. That is why, in coming weeks, I will introduce a bill to help secure job opportunities for our veterans and provide training, health care, higher education, and more.

As I travel across the State of Connecticut, I listen to people like the Squatritos of Carla's Pasta. Their business is in South Windsor. An immigrant from Italy, Carla Squatrito started making pasta in her kitchen and grew it into a successful small business. This year, thanks to smart, targeted tax incentives, Carla's financial recipe includes investing in a fuel cell from the Fuel Cell Energy Corporation in Torrington to provide a low-cost source for most of her company's electricity needs. This cleaner, greener energy source will lower their energy bills and allow them to hire more workers and create more Connecticut jobs.

The people of Connecticut sent me here to fight for them—to fight for jobs and justice, to fight against a Capitol that caters to powerful special interests. The best moments of my career have been when we fought and won battles for ordinary people—for Skylar Austin and others when their health insurance companies wrongly denied them medically necessary, sometimes lifesaving treatment; for businesspeople such as Kathy Platt when General Motors sought wrongfully and unfairly to shut down her car dealership, Alderman Motors; or Terry, a marine, like many veterans, who returned from Iraq or other military service only to be denied proper treatment from our own government. I am here because the people of Connecticut know me as a fighter, and in the challenging time, again, I will fulfill that trust by listening to them and working for them and fighting for them.

As we gather today, young Americans are serving and sacrificing at home and abroad. Like all of you, I am grateful to them every day, and to all the veterans who have served and sacrificed before them, for giving us the freedoms we enjoy every day, including the extraordinary opportunity to speak today in this historic Chamber and participate in the greatest democracy in the greatest Nation the world has ever known.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, while we are waiting for Senators to come to the floor, I would like to put a couple other quotes or comments from very well-respected organizations about the importance of this bill into the record. I, again, appreciate the 84 Members of the Senate who voted yes to bring this bill to the floor because those 84 Members of the Senate understand we cannot close budget gaps and reduce deficits without growing the economy. Those 84 Members understand that in order to grow the economy, helping government create the atmosphere for the private sector to grow is absolutely imperative. If we would spend a little less hot air time around here and a little more on illuminating discussion, the benefits of programs such as this would be clear. It is actually a Federal program, but it is a Federal program that establishes a partnership with the private sector that is exciting and that works and that helps to create jobs.

The Biodistrict in New Orleans, which was newly formed after Katrina, sent a document to the office that said, in reference to the temporary extensions of this program:

> These repeated, temporary extensions have wreaked havoc on agencies' ability to make strategic decisions in regard to the programs.

The Small Business Technology Council says:

> Not only does this program spur technological innovation and entrepreneurship, it helps create high-tech jobs, and does so without increasing Federal spending.

The National Small Business Association, another strong supporter, said:

> The uncertain future of the program has deterred potential participants and investors.

We do not want to deter anyone. We do not want to discourage anyone from making that investment or taking that step to create the next business that could create not just a handful of jobs but dozens, hundreds, and potentially thousands. That is why President Obama is talking about—and I support his efforts—the need to outinnovate and outcompete, to fight our way out of this recession.

This bill of Senator SNOWE and mine might be a relatively small bill from a small agency, but it packs a lot of power and potential to create the jobs that people—in your home State of Minnesota, in my home State of Louisiana, in Maine, and other places—want to see us creating, with virtually no additional cost to the Federal Government. We are simply setting aside a slightly larger portion of research and development moneys already budgeted for cutting-edge research and development and targeting those to small businesses that have proven themselves to produce excellent innovations, technology, and in fact have a disproportionate share of high-impact patents.

The National Venture Capital Association says:

> At a time when our country needs to build new businesses, the venture capital industry believes the best use of government dollars is to leverage public/private partnerships. . . .

That is what this does. I know there are a few people around this place who do not think the Federal Government can do anything right. I am not one of them. I actually think the Federal Government can do lots of things right. Yes, we make mistakes; yes, there is money wasted; yes, there is duplication; and, yes, sometimes there is even fraud. But programs such as this need to be reauthorized. We have been debating now for 6 years whether this program should be authorized.

If it takes us 6 years to reauthorize one of the best programs in the Federal Government, I wonder how long it is going to take us to reauthorize some of those that are not as well run and to give us the opportunity to make them run better instead of just running around, throwing up our hands, saying nothing works, nothing ever works, everything in Washington is broken. This program is not broken, and it deserves to be reauthorized.

According to the U.S. Chamber of Commerce:

> The SBIR program serves as an important avenue by which agencies harness the creativity and ingenuity of small business to meet specific research and development needs of the Federal Government.

Might I say, they may be the today needs of the Federal Government; such as we need a way to cool our tanks in Afghanistan and Iraq because our tanks are operating in temperatures that are excessive. That was a real need of the Defense Department. They sent out, basically, an SOS: Can anybody come up with a better way?

Not only did we come up with a better way in a radiator out of technology we actually developed in Louisiana, but as you know, these technologies do not stay in the Department of Defense. Once they go out to be used in our tanks, helping keep our war fighters safe and helping win the wars we send them to fight, this technology can now be deployed, potentially, in the racing car industry or in Detroit or some of our other car manufacturing. While it is launched by Federal scientists and inventors and people who are good employees and good, solid Americans who are looking for a better way, it finds its way out into the general public for all of our benefit.

Let me give two more quotes. I see the Senator from Kentucky. The BioTechnology Industry Organization says:

> This bill represents a balanced approach to ensure that America's most innovative small businesses can access existing incentives to grow jobs by commercializing new discoveries.

Finally, from the University of California, the CONNECT group says:

Because acquiring funding through traditional lending sources continues to prove difficult in today's tight credit market, SBIR/STTR grants provide tech start-up companies another viable chance to compete for early-stage funding.

Yes, there are many venture capitalists out there. There are always very savvy inventors looking for the next best thing. But before the next best things are invented, there has to be somebody betting on the human capital in our Federal agencies, the human capital in our academic institutions, and the human capital in small businesses that take the risks and believe they can invent that next best thing.

This financing is early. It is high risk. Not every SBIR grant works. But according to the man who gave us the review of this program, if every one of these inventions works, we are not running the program correctly. This program is early, before it is clear whether it is going to work, a chance to get it to work. But the upside is so great when one or more does work, and we have hundreds of companies that have sort of broken out.

I see the Senator from Kentucky. I will rest my discussion. I do want to put some other things in the RECORD, but to keep the debate moving forward, this would be a good time for him to proceed.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 199

Mr. PAUL. I ask unanimous consent to set aside the pending amendment and call up my amendment, No. 199.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 199.

Mr. PAUL. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment follows:

(Purpose: To cut $200,000,000,000 in spending in fiscal year 2011)

At the appropriate place, insert the following:

TITLE _____—CUT FEDERAL SPENDING ACT OF 2011

SEC. ___01. SHORT TITLE AND DEFINITION

(a) SHORT TITLE.—This title may be cited as the ''Cut Federal Spending Act of 2011''.

(b) DEFUND.—In this Act, the term ''defund'' with respect to an agency or program means—

(1) all unobligated balances of the discretionary appropriations, including any appropriations under this Act, made available to the agency or program are rescinded; and

(2) any statute authorizing the funding or activities of the agency or program is deemed to be repealed.

SEC. ___ 02. LEGISLATIVE BRANCH.

Amounts made available for fiscal year 2011 for the legislative branch are reduced by $654,000,000.

SEC. ___ 03. JUDICIAL BRANCH.

Amounts made available to the judicial branch for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $155,000,000.

SEC. ___ 04. AGRICULTURE.

Amounts made available to the Department of Agriculture for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,427,000,000.

SEC. ___ 05. COMMERCE.

Amounts made available to the Department of Commerce for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $2,700,000,000.

SEC. ___ 06. DEFENSE.

Amounts made available to the Department of Defense for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $30,000,000,000.

SEC. ___ 07. EDUCATION.

Amounts made available to the Department of Education for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $46,258,000,000, except for the Pell grant program which shall be capped at $17,000,000,000.

SEC. ___ 08. ENERGY.

Amounts made available to the Department of Energy for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $9,602,000,000.

SEC. ___ 09. HEALTH AND HUMAN SERVICES.

Amounts made available to the Department of Health and Human Services for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $26,510,000,000.

SEC. ___ 10. HOMELAND SECURITY.

Amounts made available to the Department of Homeland Security for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $4,603,000,000.

SEC. ___ 11. HOUSING AND URBAN DEVELOPMENT.

Amounts made available to the Department of Housing and Urban Development for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $22,000,000,000.

SEC. ___ 12. INTERIOR.

Amounts made available to the Department of the Interior for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,808,000,000.

SEC. ___ 13. JUSTICE.

Amounts made available to the Department of Justice for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $4,811,000,000.

SEC. ___ 14. LABOR.

Amounts made available to the Department of Labor for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,260,000,000.

SEC. ___ 15. STATE.

Amounts made available to the Department of State for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $8,216,000,000.

SEC. ___ 16. INTERNATIONAL ASSISTANCE.

International assistance programs are defunded effective on the date of enactment of this Act.

SEC. ___ 17. TRANSPORTATION.

Amounts made available to the Department of Transportation for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $14,724,000,000.

SEC. ___ 18. VETERANS' AFFAIRS.

The Department of Veterans' Affairs shall not be subject to funding cuts in fiscal year 2011.

SEC. ___ 19. CORPS OF ENGINEERS.

Amounts made available to the Corps of Engineers for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $4,135,000,000.

SEC. ___ 20. ENVIRONMENTAL PROTECTION AGENCY.

Amounts made available to the Environmental Protection Agency for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,506,000,000.

SEC. ___ 21. GENERAL SERVICES ADMINISTRATION.

Amounts made available to the General Services Administration for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,140,000,000.

SEC. ___ 22. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

Amounts made available to the National Aeronautics and Space Administration for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $480,000,000.

SEC. ___ 22. NATIONAL SCIENCE FOUNDATION.

Amounts made available to the National Science Foundation for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,733,000,000.

SEC. ___ 23. OFFICE OF PERSONNEL MANAGEMENT.

Amounts made available to the Office of Personnel Management for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $133,000,000.

SEC. ___ 24. SOCIAL SECURITY ADMINISTRATION.

The Social Security Administration shall not be subject to funding cuts in fiscal year 2011.

SEC. ___ 25. REPEAL OF INDEPENDENT AGENCIES.

The following agencies are defunded effective on the date of enactment of this Act:

(1) Affordable Housing Program.

(2) Commission on Fine Arts.

(3) Consumer Product Safety Commission.

(4) Corporation for Public Broadcasting.

(5) National Endowment for the Arts.

(6) National Endowment for the Humanities.

(7) State Justice Institute.

Mr. PAUL. This amendment would cost $200 billion in spending. Earlier this morning we voted, nearly unanimously in this body, to cut 5 percent from our legislative budget. Similar to so much in Washington, it sounds good. I voted for it. But 5 percent of our legislative budget will be a few million dollars. We have a deficit this year of $1.65 trillion. We are awash in debt. It is America's No. 1 problem. Even the administration has said our national debt is our No. 1 threat to our national security at this point. We have to get our fiscal house in order.

Voting to cut our own budget by 5 percent is wonderful. It is a first step. It is about $1 million—a couple million dollars. It will not put a dent in the overall problem.

If we were truly concerned as a body about our deficit, we could cut the entire budget by 5 percent. It has gone up by 25 percent in the last couple years.

If we were to cut our entire budget by 5 percent, it would be about $200 billion. That is what I am proposing, a $200 billion cut in spending.

Are we bold enough? Will we do it? If we do not do it, what happens? My fear is, if we do not have significant cuts in Federal spending, that ultimately in the next few years we could have a debt crisis. This amendment will give us a chance, will give the Members of this body a chance to say: Are we serious? Are we serious about addressing the debt problem or do we only want to do token things such as cutting our legislative budget 5 percent?

It is a good start, but it is not enough. This was actually only a sense-of-the-Senate resolution, so we didn't cut our budget by 5 percent. We said we might be in favor of that. This would be a real cut, $200 billion.

I hope the Senate will support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask the Senate set aside the pending amendment so I can call up amendment No. 207.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 207

Mr. SANDERS. Mr. President, I call up amendment No. 207.

The PRESIDING OFFICER. Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. SANDERS], for himself, Mr. BROWN of Ohio, Ms. BOXER, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. LAUTENBERG, proposes an amendment numbered 207.

Mr. SANDERS. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act)

At the end, add the following:

TITLE VI—SOCIAL SECURITY PROTECTION ACT

SEC. 601. SHORT TITLE.

This title may be cited as the ''Social Security Protection Act of 2011''.

SEC. 602. FINDINGS.

Congress makes the following findings:

(1) Social Security is the most successful and reliable social program in our Nation's history.

(2) For 75 years, through good times and bad, Social Security has reliably kept millions of senior citizens, individuals with disabilities, and children out of poverty.

(3) Before President Franklin Roosevelt signed the Social Security Act into law on August 14, 1935, approximately half of the senior citizens in the United States lived in poverty; less than 10 percent of seniors live in poverty today.

(4) Social Security has succeeded in protecting working Americans and their families from devastating drops in household income due to lost wages resulting from retirement, disability, or the death of a spouse or parent.

(5) More than 53,000,000 Americans receive Social Security benefits, including 36,500,000 retirees and their spouses, 9,200,000 veterans, 8,200,000 disabled individuals and their spouses, 4,500,000 surviving spouses of deceased workers, and 4,300,000 dependent children.

(6) Social Security has never contributed to the Federal budget deficit or the national debt, and benefit cuts should not be proposed as a solution to reducing the Federal budget deficit.

(7) Social Security is not in a crisis or going bankrupt, as the Social Security Trust Funds have been running surpluses for the last quarter of a century.

(8) According to the Social Security Administration, the Social Security Trust Funds currently maintain a $2,600,000,000,000 surplus that is project to grow to $4,200,000,000,000 by 2023.

(9) According to the Social Security Administration, even if no changes are made to the Social Security program, full benefits will be available to every recipient until 2037, with enough funding remaining after that date to pay about 78 percent of promised benefits.

(10) According to the Social Security Administration, ''money flowing into the [Social Security] trust funds is invested in U.S. Government securities . . . the investments held by the trust funds are backed by the full faith and credit of the U.S. Government. The Government has always repaid Social Security, with interest.''.

(11) All workers who contribute into Social Security through the 12.4 percent payroll tax, which is divided equally between employees and employers on income up to $106,800, deserve to have a dignified and secure retirement.

(12) Social Security provides the majority of income for two-thirds of the elderly population in the United States, with approximately one-third of elderly individuals receiving nearly all of their income from Social Security.

(13) Overall, Social Security benefits for retirees currently average a modest $14,000 a year, with the average for women receiving benefits being less than $12,000 per year.

(14) Nearly 1 out of every 4 adult Social Security beneficiaries has served in the United States military.

(15) Social Security is not solely a retirement program, as it also serves as a disability insurance program for American workers who become permanently disabled and unable to work.

(16) The Social Security Disability Insurance program is a critical lifeline for millions of American workers, as a 20-year-old worker faces a 30 percent chance of becoming disabled before reaching retirement age.

(17) Proposals to privatize the Social Security program would jeopardize the security of millions of Americans by subjecting them to the ups-and-downs of the volatile stock market as the source of their retirement benefits.

(18) Raising the retirement age would jeopardize the retirement future of millions of American workers, particularly those in physically demanding jobs as well as lower-income women, African-Americans, and Latinos, all of whom have a much lower life expectancy than wealthier Americans.

(19) Social Security benefits have already been cut by 13 percent, as the Normal Retirement Age was raised in 1983 from 65 years of age to 67 years of age by 2022.

(20) According to the Social Security Administration, raising the retirement age for future retirees would reduce benefits by 6 to 7 percent for each year that the Normal Retirement Age is raised.

(21) Reducing cost-of-living adjustments for current or future Social Security beneficiaries would force millions of such individuals to choose between heating their homes, putting food on the table, or paying for their prescription drugs.

(22) Social Security is a promise that this Nation cannot afford to break.

SEC. 603. LIMITATION ON CHANGES TO THE SOCIAL SECURITY PROGRAM FOR CURRENT AND FUTURE BENEFICIARIES.

(a) IN GENERAL.—Notwithstanding any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider, for purposes of the old-age, survivors, and disability insurance benefits program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), any legislation that—

(1) increases the retirement age (as defined in section 216(l)(1) of the Social Security Act (42 U.S.C. 416(l)(1))) or the early retirement age (as defined in section 216(l)(2) of the Social Security Act (42 U.S.C. 416(l)(2))) for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act;

(2) reduces cost-of-living increases for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act, as determined under section 215(i) of the Social Security Act (42 U.S.C. 415(i));

(3) reduces benefit payment amounts for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act; or

(4) creates private retirement accounts for any of the benefits individuals receive under title II of the Social Security Act on or after the date of enactment of this Act.

(b) WAIVER OR SUSPENSION.—

(1) IN THE SENATE.—The provisions of this section may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, present and voting.

(2) IN THE HOUSE.—The provisions of this section may be waived or suspended in the House of Representatives only by a rule or order proposing only to waive such provisions by an affirmative vote of two-thirds of the Members, present and voting.

(c) POINT OF ORDER PROTECTION.—In the House of Representatives, it shall not be in order to consider a rule or order that waives the application of paragraph (2) of subsection (b).

(d) MOTION TO SUSPEND.—It shall not be in order for the Speaker to entertain a motion to suspend the application of this section under clause 1 of rule XV of the Rules of the House of Representatives.

Mr. SANDERS. Mr. President, this amendment is identical to the Social Security Protection Act I introduced yesterday with Senators MIKULSKI, BOXER, SHERROD BROWN, BLUMENTHAL, STABENOW, AKAKA, WHITEHOUSE, BEGICH, and LAUTENBERG.

This legislation has the strong support of the National Committee to Preserve Social Security and Medicare, the American Federation of Federal Employees, the Paralyzed Veterans of America, the Military Order of the Purple Heart, and the Jewish Veterans of America, among others.

Social Security is the most successful and reliable Federal program in our Nation's history. For 75 years, through good times and bad, when the economy was strong and when the economy was weak, Social Security has paid out

every nickel owed to every eligible American. While we take that for granted, that, in fact, is an extraordinary accomplishment. It is all done at very modest administrative costs.

Social Security has been enormously successful in accomplishing exactly what its founders hoped to accomplish. Before President Roosevelt signed the Social Security Act into law in August of 1935, approximately half our senior citizens lived in poverty. Before Social Security, about half our seniors lived in poverty. Today, fewer than 10 percent of seniors live in poverty. That number is too great, but it is a significant improvement over what occurred before the establishment of Social Security.

What we should be very clear about, given the volatility of today's economy—there is a great deal of anxiety among the American people about whether they are going to be able to retire with dignity. At a time when millions of Americans have seen the value of their private retirement plans plummet, at a time when major corporations have significantly cut back on the defined benefit pension plans and 401(k) contributions, it makes no sense to me that anybody in this Chamber would contemplate dismantling the one retirement program that has been there for 75 years and has worked for 75 years.

There was an interesting article in USA Today yesterday. These are just a couple facts they threw out in yesterday's USA Today. The percentage of workers who are not at all confident about saving enough money for a comfortable retirement reached 27 percent in 2011 compared with 22 percent just last year—a significant increase in a 1-year period. When combined with those who said they are ''not too confident,'' the total reaches 50 percent of workers. So we are in a situation, according to USA Today, where almost 50 percent of American workers lack confidence about whether they are going to have enough money to retire with dignity. There is another point that the article made. This is what they say:

Quite a few workers virtually have no savings or investments. In 2011, 29 percent said they have less than $1,000.

Well, you are not going to go too far in your retirement with less than $1,000.

56 percent said that their savings and investments, excluding their home value, totals less than $25,000.

The bottom line is, for a variety of reasons, A, the Wall Street collapse of a few years ago, the fact that wages for millions of workers have not kept up with inflation, a significant part of our older workforce today is extremely worried about what will happen to them when they retire.

Within that context, why there are people in the Congress who would want to start dismantling the one program that has, without fail, been there for 75 years, makes no sense to me at all. Let me also make another point. I think it is important to make this point 24 hours a day because we hear so much misinformation coming to us from pundits, from the media, and from Members of Congress. So let me be very clear.

This country has a very serious national debt problem and a very serious deficit problem. We just heard about that, a $1.6 trillion deficit. That is serious business. In my view, Congress has to be aggressive to address that issue. But here is the point. Social Security has not contributed one nickel to the Federal deficit or the national debt—not one penny.

So when you hear people say we have a serious deficit problem, therefore we have to cut benefits in Social Security or raise the retirement age, what they are saying makes no sense at all. These are two very separate issues.

In fact, Social Security currently has a $2.6 trillion surplus. Let me repeat that. Social Security has a $2.6 trillion surplus. That is projected to grow to $4.2 trillion in 2023. In 1983, when we look back a little bit, it turns out that Social Security did face a crisis. At that point, in 1983, if the Congress and then-President Reagan had not acted, Social Security was projected to run out of necessary funding in 6 months—6 months. That is a crisis.

As a result of the discussions and negotiations and a committee put together by the President, Tip O'Neill, et cetera, a resolution was reached to that problem. The Congress overwhelmingly voted for it. Today is not 1983. Today the Social Security Administration has estimated that Social Security will be able to pay out 100 percent of promised benefits to every eligible recipient for the next 26 years.

This country does face a whole lot of crises: Unemployment is off the wall; childhood poverty is too high; we have serious deficit problems; two wars; we are worried about global warming. We have a lot of problems. But it seems to me to be totally absurd that people would say: Oh, my goodness, we have to cut Social Security because it can only pay out benefits for the next 26 years.

Go to Minnesota and say to a business person: If you could pay out all that you owe for the next 26 years, do you think it is a crisis? People would be shaking their heads.

I should point out that after those 26 years, if nothing is done—and I think something should be done—Social Security will be able to fund about 78 percent of promised benefits. So it seems to me that given the enormous importance of Social Security not only to the elderly but to people with disabilities, to people who are widows and orphans who have lost the income that a bread winner had brought into the family, we have to do everything we can to protect Social Security.

We have to make it very clear that Social Security is strong, can pay out every benefit for 26 years, that has not contributed one nickel to the deficit. And that is the amendment that I will be bringing up as soon as I possibly can.

Ms. LANDRIEU. Would the Senator yield for a question?

Mr. SANDERS. I sure would.

Ms. LANDRIEU. Would the Senator explain—I think he knows because he is quite an expert on this program. I agree 100 percent with the views he just expressed. What is the basic average Social Security income that a person might receive? I understand it is somewhere between $7,000 and $10,000.

Mr. SANDERS. I think it is a hair higher than that. I think it is about $14,000 a year. But the point is, I would say to the Senator from Louisiana, there are millions of seniors for whom that is either all or almost all of their income. That is it. That is it. In this day and age, that is the average. So your point is, there are people certainly below the average.

Ms. LANDRIEU. The reason I ask the Senator that is because it is striking to me that some Members from the other side of the aisle will come and argue that programs like this should be slated for cuts and reductions, and yet failed to vote favorably to raise slightly the income tax on families making over $1 million a year in annual income. I, frankly, Senator, do not understand that. I am not sure people listening to this understand it.

Could you enlighten us?

Mr. SANDERS. Here is the story. I agree with you. I find it hard to understand that there are people who get up here—and we hear the speeches every day. They say we have a serious deficit crisis. It is unfair to leave that burden to our kids and our grandkids. We agree with that.

We say, OK, let's address the deficit crisis. But let's do it in a way that is not on the backs of the sick, the elderly, the children, the most vulnerable people in the country. So what this Senator is pointing out is that in the last number of years what we have seen is that the people on top have been doing very well—the top 1 percent now earns about 23 percent of all income, which is more than the bottom 50 percent. The effective tax rate for the very wealthiest people in this country is about 16 percent, which is the lowest in recent history. We have given huge amounts of tax breaks in recent years to these very same people.

So what I think the Senator from Louisiana is saying, and I agree with her, is, if we are going to go forward with deficit reduction, which you and I agree we should, let's do it in a way that calls for shared sacrifices.

The Senator from Louisiana knows that H.R. 1, the Republican House-passed bill, would throw over 200,000 kids off of Head Start. Millions of students who are trying to get through college would either get lower Pell grants or no Pell grants at all.

It is an attack, a devastating attack, a cruel attack, against some of the most vulnerable people in this country. They are cutting back on the Supplemental Nutrition Program for Women,

Infants, and Children. There are low-income women now, who are trying to make sure they do not give birth to low-weight babies—cut back on their program. But when we say, well, maybe billionaires—who are doing phenomenally well—might be asked to pay a little bit more in taxes, oh, my word. We will have none of that at all.

So the issue is shared sacrifice. Do not balance the budget on the backs of the weak and the vulnerable.

Ms. LANDRIEU. I thank the Senator from Vermont for that eloquent and very accurate description of the situation we are in. I see the Senator from Oklahoma here for an amendment. We want to keep these amendments being discussed. So I thank the Senator from Oklahoma for joining us.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, so the chairman knows, my planned time to introduce these amendments is 3:30. That is what they have given me time on. I did want to engage in some of the comments of the Senator from Vermont.

As someone who was on the deficit commission and looking at that, the first presumption was making Social Security solvent was our goal, making it solvent for 75 years. The flaw in the argument given by my colleague from Vermont is the assumption that the IOU at the Treasury for Social Security is good.

It is good as long as people will loan us money. It is not any good if they will not. So when people say, why fix Social Security? We can fix Social Security by taking the very haircut from the people the Senator from Vermont just described and markedly lessening the benefits, even though they continue to pay into Social Security, that they will receive, the billionaires and the millionaires. We can do that. But if, in fact, we do not send a signal to the international financial community that on the largest expenditure we have, that we are going to make it solvent, then we will not be in the market and available and have the ability to borrow the $2.8 trillion.

Now, one other thing on which I would disagree: The Social Security trust fund trustees say Social Security is running a net deficit this last year and will run one this year and for every year forward in terms of what comes in versus what goes out. There is no question I want to keep our commitments. Nobody is talking about eliminating benefits except to the very rich in this country in terms of Social Security. As a matter of fact, the deficit commission raised the benefits in Social Security for the poorest in this country. So we actually did the opposite of what the Senator claims that Republicans might want to do.

What we have to do is to make sure Social Security is viable for the future. And having looked at every aspect of Social Security, I can tell you if we are not able to borrow the $2.6 trillion, the benefits will not be there. The money has been stolen. There is no trust fund. There is no money there. If you read what the head of the OMB said in 1999, he said it is not there.

So what is really happening in Social Security? Congresses, under both Republican and Democratic control, both Republican and Democratic Presidencies, have stolen money from Social Security and spent it. The money is gone. It has been used for another purpose.

So there are two ways of solving this: One is to make Social Security the priority and not fund anything but that until we get it paid back or we can actually refund that $2.6 trillion by going to the debt market, to which we will go every year from now forward under the present plan on Social Security. The rate of taxes between now and 2035 that will be taxed will rise from $106,000 or, I think, $107,000 to $168,000 between now and then. That is a 60-percent increase in the taxes on the wealthy that is planned and programmed right now.

Even with that, Social Security will run a deficit every year, every year now forward. Even with the $2.8 trillion, it still is in a negative cashflow. So to deny the fact, if we do not want to fix Social Security, then what we are saying is we do not want to fix it for our children's children or our children.

Mr. SANDERS. Will my friend yield?

Mr. COBURN. I would like to finish my point. It is not about taking something away, except from the very wealthy, the fix from the deficit commission. That is what it did. We also added back. When you reach 80—and a lot of people may be running out of their combination of what their retirement was plus their Social Security—we give another little bump.

So what the deficit commission did was significantly increase the viability for Social Security for the next 75 years. The Social Security trustees know we have to do this. Everybody knows we have to do this. The question is, Does this Congress owe that $2.8 trillion back to Social Security? Yes. But where do we get the money to repay it?

Unless we can calm down the international financial markets, where we make major changes not just in Social Security but in discretionary spending—$50 billion out of the Pentagon, modifying Medicare, where we get the fraud waste and abuse out of Medicare—unless we do those things, we are not going to be able to borrow the money.

One final fact and then I will yield back to my chairman because I have a meeting to go to. So far, in the last 5 months, who do you think has bought our bonds to finance the deficit? We ran a $223 billion deficit in the month of February.

Who bought them? Was it the Chinese? Who was the biggest buyer? The Federal Reserve bought 70 percent of the bonds we put on the market. What are they doing? They are debasing our currency and creating future inflation which will hurt the very people who are going to be on Social Security because the cost of living index will never truly keep up with the real cost of inflation.

All of us have received letters from constituents wondering why there was no COLA. We know why there was no COLA. When we look at food and transportation costs and what they have done in the last 3 years, that is what is important to seniors—their health care costs, housing costs, food costs. Yet we have a COLA system that does not recognize that we may get into a period of hyperinflation because the Federal Reserve is buying the bonds because nobody else will buy them. Right now, 30 percent are bought in the market.

Final point. The largest bond trader in the world, PIMCO, last week sold every U.S. Government bond they had. They expect the price of the bonds to go down because they expect the interest rates to go up. What happens to us if we don't fix Social Security? If the interest rates are going to be a lot higher on our debt and if they are a lot higher and we owe $14 trillion for every 1 percent increase in the cost of borrowing that we have, it adds to our deficit $140 billion.

I am honored Senator SANDERS is adamant about making sure we keep our commitments. But in terms of cashflow, it isn't there. We have to address that. That is the only way we create confidence for the international financial community to say: You have a solvent program for 75 years—the largest segment of our expenditures—and we are going to loan you money. If we don't do that, interest costs are going to be higher, and we are going to pay for it anyway. Right now, we are almost to the point where these decisions will not be controlled by us. I would rather us be in a situation of control.

This is not a partisan issue. There isn't one Senator who wants to take money away from needy seniors. This is about making changes far down the road that will affect people 30, 40, 50 years from now. It makes sense to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, let me make a few points, if I may.

Is the Senator leaving?

Mr. COBURN. I have to.

Mr. SANDERS. I did wish to make a few points.

No. 1, the Senator from Oklahoma gave his understanding about what the debt commission would do to Social Security. I do not agree with his characterization. In point of fact, what the debt commission does do is cut retirement benefits by more than 35 percent for young workers entering the workforce today. Today's 20-year-old workers who retire at age 65 would see their benefits cut by 17 percent if their wages average $43,000 over their working lives, by 30 percent if their wages

average $69,000 over their working lives, and by 36 percent if their wages average $107,000 over their working lives, according to the Social Security Chief Actuary. The proposed cuts would apply to retirees, disabled workers and their families, children who have lost parents, widows, and widowers. It is not accurate to say that the debt commission left unscathed workers—quite the contrary. There are devastating cuts to young workers.

If the Senator from Oklahoma wants to make sure Social Security is financially solvent for the next 75 years—and I want to see that as well—there is an easy and fair way to do it. It is a way that doesn't require slashing benefits for younger workers. When Barack Obama ran for President, he had a pretty good idea. I hope he still has that idea. What he said is that it is important to understand that right now somebody making $1 million a year pays the same amount of money into the Social Security trust fund as somebody who makes $106,000. If we lift that cap, start at $250,000, ask those people to contribute into the Social Security trust fund, we will go a very long way to solving the financial solvency of Social Security. I think we should do that. That is certainly not what the deficit reduction commission recommended.

We keep hearing that the Social Security trust fund has a pile of worthless IOUs. The fact is, Social Security invests the surplus money it receives from workers, from the payroll tax, into U.S. Government bonds, the same bonds China or anybody else purchases. These bonds are backed by the full faith and credit of the U.S. Government. And in our entire history—and many of us want to make sure this continues—the U.S. Government has never defaulted on its debt obligations.

The point is, to say these are worthless IOUs is not dissimilar to saying: Guess what. Because we have a deep deficit and a deep national debt, we don't have any money to fund equipment for soldiers who are in the field in Afghanistan or Iraq. They are just worthless IOUs, and we can't fund them.

That is, of course, nonsense.

Do we have to address the deficit crisis? Yes, we do. But my friend from Oklahoma did not respond to the issue of why, if he and his friends are so concerned about our deficit crisis, they vote year after year for hundreds of billions of dollars in tax breaks for the wealthiest people or why they want to repeal the estate tax, which will provide $1 trillion dollars in tax breaks to the top three-tenths of 1 percent.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, this has been a very interesting debate. It really gets to the heart of the larger amendment on Capitol Hill and in the minds of all Americans. How are we going to close this budget deficit, annual deficit, and how are we going to substantially reduce the national debt?

I am pleased this discussion is taking place on this bill because the intention of this legislation is to close that gap by creating jobs. Some Senators actually believe we can accomplish that by cutting discretionary spending alone.

The Senator from Kentucky, Mr. PAUL, was arguing along that line, that if we just accept his amendment, which I will strongly object to, and cut $200 billion out of the discretionary side of the budget, that will get us in the direction we need to go. All that will do is eat the seed corn this country needs to invest in important things such as infrastructure and education to secure the future for our children and grandchildren.

I remind Senators that since 1982, military discretionary spending has never dropped below 5.5 percent in any given year. The Paul amendment, if adopted—and I doubt it will be—would propose a 50-percent reduction in the discretionary funding of Education, Energy, Housing and Urban Development. It is a drastic cut that would not support a foundation for growth and expansion.

Having said that, the other offensive thing to that approach is that there never seems to be a discussion of a reduction of the military budget when it comes to waste, fraud, and abuse. There are billions of dollars, hundreds of millions of dollars documented in the Defense Department by the Secretary of Defense himself that people object to in trying to get to a balanced budget. Then we have Members who are trying to use the Social Security situation to argue for their point that the roof is falling in, the world is collapsing, and we have to cut back on Social Security.

I wish to add to what Senator SANDERS said and clarify something. I respect Senator COBURN. No Member has worked harder on the issue of deficits and debt reduction. I do not agree with all the things he suggests, but I most certainly recognize effort when I see it. Senator COBURN has most certainly put in the effort. When he says the Social Security Program is running a deficit in terms of money in and money out, he is correct. But, as Senator SANDERS pointed out, the reason is because the Federal Government used the surplus over the last 15 or 20 years to fund other operations of government. But the Social Security Program itself is intact. When that money is paid back, it will have a surplus. Using the fact that it is running an annual deficit to argue for either cutting benefits to Social Security or cutting benefits from education or from health to pay for Social Security is not a legitimate argument. Again, Social Security is intact. It is actually running a surplus. They would have a surplus right now in the account if the money had been left there.

It continues to amaze me that even in this discussion, we never, ever hear from the other side a willingness to raise $50 billion, if we are trying to get to $100 billion in cuts—and some people want to get to 200, but we would like to close the gap by anywhere from $10 to $100 billion—if we want to get 50 of that billion by raising the income tax on people who make over $1 million, we could get halfway to $100 billion by doing that. But we never hear that. We just hear: Cut Social Security benefits, cut education, cut health care, cut Pell grants, cut homeland security.

I know we have to cut back on spending. I know we have to get our deficit under control. I know our debt is too high. But we are not going to achieve the goal of fiscal responsibility by cutting discretionary spending on the domestic side, which means cutting Head Start, Pell grants, and education, and adamantly refusing to raise the income tax for people who make over $1 million.

This is going to be a very interesting debate over the next couple of weeks. It will not be settled on the SBIR bill, but it will be settled sometime in the next couple of weeks in this Congress. I, for one, look forward to the debate. I believe the American people need to have an open and honest debate about what is actually going on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 183

Mr. GRASSLEY. Mr. President, I believe there is a pending amendment, which hopefully we will vote on, called the McConnell amendment. It basically takes away from the Environmental Protection Agency the authority to regulate greenhouse gases. The Environmental Protection Agency gets this power from a Supreme Court decision that said they had the authority to do so. That decision was about 2 or 3 years ago. It came about 16 or 17 years after the 1990 Clean Air Act was passed. Those of us who were around here and debated and worked on the Clean Air Act of 1990 don't remember any discussion about EPA under that legislation having the authority to regulate greenhouse gases, but obviously the Supreme Court read the law differently than we intended.

The Environmental Protection Agency was told it could regulate greenhouse gases. The Environmental Protection Agency did not have to do that, but I suppose they are like regulators, generally. Some ask: Why do cows moo? Why do pigs squeal? And why do regulators regulate? Because regulators know how to regulate, and that is all they know how to do. So they are going to issue a regulation if they think they have the authority.

The situation is this: If we don't take away the authority—and in a sense overturn the Supreme Court case—EPA is going to put us in a position of being economically uncompetitive with the rest of the world, particularly in manufacturing.

When you increase the cost of energy by anywhere from $1,800, under one

study, to $3,000, under another study, per household, you are very dramatically increasing the cost of manufacturing. If we are worried about too many manufacturing jobs going overseas—and we if would let the EPA follow through with what they want to do, increasing the cost of energy—we will lose all our manufacturing overseas.

I have not checked the record, but my guess is a lot of my colleagues who are fighting the McConnell amendment and think it is not the right thing to do are the very same people who are very chagrined because jobs are going overseas and are blaming American industry.

Well, if we are going to pass a law that increases the cost of energy in this country, we are not going to have a level playing field with our competitors overseas. That is why I have always said, if we want to regulate CO_2, we need to do it by international agreement. Because if China is not on the same level playing field as we are, then we are going to lose our manufacturing to China and other countries.

It happens that China puts more CO_2 in the air than we do. Take China and Brazil and India and Indonesia, and they put a lot more CO_2 into the air than the United States does. Yet somehow EPA is of the view that the United States acting alone can solve the global warming problem? Well, even the EPA Director has testified before committees of Congress that if the rest of the world does not do it, we are not going to make a dent in CO_2 just by the United States doing it.

But the argument goes that the United States ought to show political leadership in this global economy we have, and if the United States would do something about CO_2, the rest of the world would follow along. But China has already said they are not going to follow along. Even Japan, which signed on to the Kyoto treaty, said they would not be involved in extending the Kyoto treaty beyond 2012.

If the United States did it by itself, under the guise of being a world leader and setting an example, and the rest of the world did not do it, Uncle Sam would soon become ''Uncle Sucker,'' and we would find our manufacturing fleeing the United States to places where they do not have regulation on CO_2, where energy expenses are not as high, and we would lose the jobs accordingly. In a sense, then, those people who have complained for decades about American manufacturing moving overseas would destine the United States to lose more of it.

I do not understand how people who are concerned about losing jobs overseas could be fighting the McConnell amendment. Because if we want to preserve jobs in America, our industry has to be competitive with the rest of the world. So I hope the McConnell amendment will be adopted, and I hope there will be some consistency in the reasoning of people who are concerned about the movement of jobs overseas, that it is intellectually dishonest to support EPA adopting regulations that are going to make America uncompetitive.

There is nothing wrong with seeking a solution to the CO_2 problem. There is nothing wrong with working on the issue of global warming. But it ought to be a level playing field for American industry so we can be competitive with the rest of the world and not lose our industry, not lose our manufacturing overseas, and not lose the jobs that are connected with it.

But it often is the case that when either the courts or the Congress delegates broad powers to the executive branch agencies, it seems like we give them an inch and they take a mile.

There are plenty of other examples as well—and I will go into some of them in just a moment—of EPA having some authority and moving very dramatically beyond what Congress intended in a way that does not meet the commonsense test.

The work of EPA on CO_2 is a perfect example of this kind of overreach. First of all, they did not have to do it just because the Supreme Court said they could do it. But like regulators, they want to regulate, and they are moving ahead.

I suppose they are moving ahead also because, in 2009, the House of Representatives passed a bill regulating CO_2—a bill that would have made the United States very uncompetitive, as I have stated the EPA will—but the Senate declined to take it up. I think this administration is intent upon getting the job done, and so they go to EPA to issue a rule because Congress will not pass the legislation it wants.

It is so typical of so many things this administration is doing; that because Congress will not pass a law they want, they see what they can do by regulation. So they are setting out to accomplish a lot of change in public policy that Congress declines to endorse, but they are going to act anyway. If they claim the authority to do it, they will probably get away with it and avoid the will of the people, the will of the people expressed through the Congress of the United States. So if Congress decides to not do something, can the administration ignore the will of the people? Yes, they can, if they want to, but they should not, in my judgment.

It brings me to not only the McConnell amendment but a lot of other things we should be doing around here to prevent this outrageous overreach by not only the Environmental Protection Agency but by a lot of other agencies as well.

Because when the EPA and other agencies promulgate rules that go beyond the intent of Congress—and never could have passed Congress—it undermines our system of checks and balances. The American people can hold their member of Congress accountable for passing laws they do not like. However, when unelected bureaucrats implement policies with the force of law that they would not have been able to get through the Congress—and that is without direct accountability when a regulator acts instead of Congress acting—something is very wrong, and it is against the will of the people.

I think it is time for Congress to reassert its constitutional role. We try to do this from time to time in a process called the Congressional Review Act. I recall last June the Senator from Alaska, Ms. MURKOWSKI, proposed doing that on these very rules affecting CO_2. We did not get a majority vote, so it did not happen. Maybe in the new Congress such an attempt would get a majority vote.

We cannot apply that Congressional Review Act again to those same rules, so that brings about the McConnell amendment I am speaking about—to take away the authority of EPA to do it. But perhaps we can use the congressional Review Act on a lot of other issues yet that regulators are regulating maybe against the will of the people, and I hope we will.

But there is one measure Senator PAUL has suggested and I ask unanimous consent to be added as a cosponsor to amendment No. 231.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. He uses the acronym REINS, but it is called the Regulations From the Executive in Need of Scrutiny Act. Basically, what it does—and I applaud Senator PAUL for his amendment, and I will surely vote for it—and that is, when we delegate authority to agencies in the executive branch of government to write regulations, and if those regulations are considered ''major rules,'' then they would have to be submitted to the Congress for our approval before they can go into effect and then would also have to be signed by the President before they would go into effect.

It seems to me that is a natural extension of Congress's authority under the Constitution to legislate and to be the only branch of government that can legislate. It seems to me to be a very adequate check on out-of-control bureaucracy, that they can only do those things Congress intended they do in the legislation they pass.

I would extend my remarks on something a little bit unrelated to the McConnell amendment but still to the overreach of the Environmental Protection Agency; this is, in regard to some of their regulations on agriculture. When it comes to their regulation of agriculture, instead of EPA standing for Environmental Protection Agency, I think it stands for ''End Production Agriculture.'' That is not their intent. But in this city of Washington—and I describe it sometimes as an island surrounded by reality—it is evidence of not enough common sense being put into the thought process of issuing regulations. I could give several examples, but I may just give a few.

Before I give those examples, I wish to compliment EPA on one thing. A

year or two ago, when one of their subdivision heads testified before Congress—and the issue was agriculture, and she said she had never been on a family farm, in the 20-some years they had been working in the EPA and yet dealing with agriculture issues—I invited her to a family farm and she came and showed a great deal of interest. We had a very thorough tour of some facilities in research, agriculture, and biofuels industries within our State. They were very thankful we did it. I believe it has helped their consideration of the impact that maybe some of their regulation writing has on agriculture.

But, still, I am not totally convinced. So I would use one or two examples of regulation that is out of control. One of them would deal with what I call the fugitive dust issue.

''Fugitive dust'' is a term EPA uses to regulate what they call particulate matter. The theory behind fugitive dust rules is that if you are making dust that is harmful, then you have to keep it within your property line. So let's see the reality of that.

You are farming. The wind is blowing, and you have to work in the fields. The wind is blowing so hard that you cannot keep the dust, when you are tilling the fields, within your property line.

Well, are you supposed to not farm? Are you supposed to not raise food? Are you supposed to not be concerned about the production of food that is so necessary to our national defense and the social cohesion of our society? Because we are only nine meals away from a revolution. If you go nine meals without eating, and you do not have prospects of it, are we going to have revolts such as they have in other countries because they do not have enough food? No, we have a stable supply of food in this country, so we do not have to worry about it. But suppose we did have to worry about it. Well, there is more to farming than just the prosperity of rural America. There is the national defense and social cohesion, and all those issues.

But the point is, they are thinking about issuing a rule—in fact, they started a process, 2 or 3 years ago, of issuing a rule maybe a year or two from now—hopefully, they will decide not to—that says you have to keep the dust within your property line. I wonder, when I talk about the common sense that is lacking in this big city—not only in EPA, but in a lot of agencies—do they realize only God determines when the wind blows? Do they realize only God determines when soybeans have 13 percent moisture in September or October, and at 13 percent moisture you have to harvest them and you only have about 2 or 3 days of ideal weather to harvest them? When you combine soybeans, dust happens; and if dust happens and you can't keep it within your property lines, you are going to violate the EPA regulation. What are you supposed to do, shut down and let a whole year's supply of food stay in the field? No. Good business practices would say when beans get to 13 percent moisture, whether the wind is blowing or not, you are going to take your combine out into the field and not worry about the dust. Does somebody at EPA think John Deere and Caterpillar and New Holland and all of those companies are thinking about: Well, we have this problem with EPA; we have to do something about the dust and we have to control it coming out of our combines? Or, when our tillage equipment goes across the field we have to consider the dust that comes up from tilling the field? Well, we have asked these manufacturers. They don't have any solutions to these problems. I think they probably think it is ridiculous, after 6,000 years of agriculture throughout our society, that it is an issue. But there are people down at EPA who think it is an issue. So I use fugitive dust as one example as to whether they realize what they are doing to production agriculture.

Another one would be spilled milk. Milk has fat in it. So now they are saying if dairy farmers have above-the-ground tanks to store their milk, they are the same as above-the-ground oil tanks and they are going to have the same regulation applied to them as applied to petroleum. The compliance requirements on this have been delayed pending action on an exemption, so maybe this won't go through. But think how ridiculous it is that people at the Environmental Protection Agency are saying if you are a dairy farmer and you happen to spill a little milk, you have to follow the same environmental requirements as an oil company if they spill oil with respect to the cleanup. But that is where we are on these sorts of rules.

I have other examples such as Atrazine, and the potential application of Chesapeake Bay requirements to the rest of the country. But I hope we will take a look at this McConnell amendment that speaks to carbon dioxide plus the examples I have given of the harm EPA regulations will do to family farming and stop to think about it. We have to find ways to stop EPA from doing things that don't make common sense. I think a start would be to vote for the McConnell amendment, and I am going to vote for it.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I ask unanimous consent that at 2 o'clock I be given 5 minutes to speak, and the Senator from Texas, Mrs. HUTCHISON, speak immediately after me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL BUDGET DEBATE

Mr. SCHUMER. Mr. President, I rise today to speak about the current debate over the Federal budget. Yesterday, we had a very telling and troubling vote in the House of Representatives. On the 3-week continuing resolution needed to avoid a government shutdown on March 18, Speaker BOEHNER was forced to rely on votes from House Democrats in order to pass a measure he himself had negotiated. The reason was that conservative Republicans abandoned their party leadership in droves out of anger that the measure lacks special interest add-ons dealing with ideological issues, such as abortion, global warming, and net neutrality.

In all, 54 conservative Republicans rejected the measure, even though it was necessary to avert a shutdown and even though it included $6 billion in cuts to domestic discretionary spending.

This is a bad omen. This was not supposed to happen. Last week, the Senate held two test votes—one on H.R. 1 and one on a Democratic alternative. We knew that neither one would have the votes to pass, but we held the votes anyway. And, sure enough, they both went down. The purpose of those votes was to make it clear that both sides' opening bids in this debate were nonstarters and thus pave the way for a serious, good-faith compromise. But, unfortunately, an intense ideological tail continues to wag the dog over in the House of Representatives. Speaker BOEHNER had hoped after H.R. 1 failed in the Senate that it would convince his conservatives of the need to compromise. Instead, those conservatives have only dug in further. Not only will they not budge off $61 billion in extreme cuts on the long-term measure and special-interest add-ons, but they also won't support any more stopgaps to avert a shutdown. So Speaker BOEHNER is now caught between a shutdown and a hard place.

The Speaker has said all along he wants to avoid a shutdown at all costs, and I believe him. He is a good man. The problem is, a large percentage of those in his party don't feel the same way. They think ''compromise'' is a dirty word. They think taking any steps to avert a shutdown would mean being the first to blink. And don't take my word for it. Here is what some in the other Chamber are saying: Conservative House Member MIKE PENCE said passing a 3-week bill to keep the government running would ''only delay a

confrontation that must come. I say, let it come now. It's time to take a stand.'' That is what Congressman PENCE said. MICHELLE BACHMANN said, ''If a Member votes for the continuing resolution, that vote effectively says, 'I am choosing not to fight.' ''

Outside forces on the far right are also cheerleading a shutdown. Tea Party Nation, for example, has called on Republicans to oppose any more budget measures unless they repeal health care and do away with family planning.

The tea party element in the House is digging in its heels. That is putting the Speaker in a real bind. His need to avoid a shutdown is in conflict with his political desire to keep his tea party base happy.

I don't envy the position the Speaker is in, but he is going to have to make a choice one way or the other. There are two choices but only one of them is responsible. The Republican leadership can cater to the tea party element and, as MIKE PENCE has suggested, ''pick a fight'' that will inevitably cause a shutdown on April 8 or the leadership can abandon the tea party in these negotiations and forge a consensus among more moderate Republicans and a group of Democrats. I think we all know what the right answer is. Speaker BOEHNER wouldn't have been able to pass this short-term measure without Democratic votes, and he won't be able to pass a long-term one without Democratic votes either. It is clear that there is no path to compromise that goes through the tea party. We urge Speaker BOEHNER to push ahead without them. We are ready to work with him if he is willing to buck the extreme elements in his party.

Throughout this debate, Democrats have repeatedly shown a willingness to negotiate, a willingness to meet Republicans somewhere in the middle. Yet the rank-and-file of the House GOP has been utterly unrelenting. They have wrapped their arms around the discredited, reckless approach advanced by H.R. 1, and they won't let go. Worse, the last few days have taught us that spending cuts alone will not bring a compromise.

The new demand from the far right is that we go along with all their extraneous riders. They do not belong on a budget bill, but they were shoehorned onto H.R. 1 anyhow. Now these hardliners in the House want them in any deal. These measures are like a heavy anchor bogging down the budget.

In recent days, a number of right-wing interest groups, such as the Family Research Council, began encouraging Republicans to vote against any budget measure that doesn't contain some of these controversial policy measures. That is why a compromise has been so hard to come by on the budget. It is because hard-right Republicans want more than spending cuts; they want to impose their entire social agenda on the back of a must-pass budget. Those on the right are entitled to their policy positions, but there is a time and a place to debate these issues and, Mr. President, this ain't it.

If this debate were only about spending cuts, we could possibly come to an agreement before too long, but we will have a hard time coming to an agreement with those on the far right threatening the budget as an opportunity to enact a far-ranging social agenda.

The tea party lawmakers are putting a drag on the progress of these budget talks. Many Republicans in the House recognize the unreasonableness of the hardliners. KEVIN MCCARTHY was reported to have gotten into a ''tense exchange'' with Mr. PENCE, one of the lead defectors. Republican MIKE SIMPSON acknowledged it was ''unexpected'' to have so many defections yesterday. STEVE LATOURETTE of Ohio said passing the 3-week stopgap was ''exactly what people expect us to do—find cuts and continue to talk.'' And MICHAEL GRIMM, from my home State of New York, said the tea party lawmakers were ''a big mistake.'' This shows there are enough commonsense conservatives in the House to go along with reasonable Democrats that Speaker BOEHNER can find a way around the tea party. In order to avoid a dead end on these budget talks, he should abandon the tea party and work to find a bipartisan consensus. It is the only way out of this bind.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Texas.

AMENDMENT NO. 197

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendment No. 197.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. No objection, Mr. President, but may I ask—I see Senator MURRAY on the floor and Senator STABENOW is on the floor, so I ask unanimous consent that after Senator HUTCHISON from Texas, we recognize Senator MURRAY for 7 minutes and Senator STABENOW for 7 minutes.

The PRESIDING OFFICER. Will the Senator from Texas so modify her request to allow the others to speak after her?

Mrs. HUTCHISON. I do, Mr. President. I would like to have my amendment called up, then speak, and then I am happy to have the unanimous consent so that they know the order following me.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. May I request of the Senator how long she intends to speak?

Mrs. HUTCHISON. For 10 minutes.

The PRESIDING OFFICER. Without objection, the request is granted.

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 197.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits)

At the end of title V, add the following:

SEC. 504. EFFECTIVE DATE OF PPACA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the provisions of the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Acts, that are not in effect on the date of enactment of this Act shall not be in effect until the date on which final judgment is entered in all cases challenging the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 that are pending before a Federal court on the date of enactment of this Act.

(b) PROMULGATION OF REGULATIONS.—Notwithstanding any other provision of law, the Federal Government shall not promulgate regulations under the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Acts, or otherwise prepare to implement such Acts (or amendments made by such Acts), until the date on which final judgment is entered in all cases challenging the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 that are pending before a Federal court on the date of enactment of this Act.

Mrs. HUTCHISON. Mr. President, I do wish to thank the Senator from Louisiana, who is managing the bill for her side, for allowing us to go forward with amendments. I think that is very important, and I do have an amendment that I think will help our small businesses and our States throughout the country. The cosponsors to amendment No. 197 are Senators HATCH, KYL, BARRASSO, BURR, JOHANNS, MURKOWSKI, COCHRAN, MORAN, and ENSIGN.

We are approaching the 1-year anniversary of health care reform becoming law, and it is important to highlight the reality of what this bill has done to every American family, every patient, every doctor, health care provider, and every small business in this country.

One year later, the skyrocketing cost of health care is still the No. 1 concern among our Nation's job creators. Just today, my office heard from a small business in Corpus Christi, TX, that has 34 employees. This company has now gotten the bids for renewal of the policies they had before, and the cheapest option for their health insurance represents a 44-percent increase from last year's cost. They have until April 1 to decide whether to continue to offer their employees health insurance and to try to figure out how they are going to compensate for that increase in cost. But this isn't the first small business I have heard from that is telling me the same thing—that their premiums are coming up for renewal, they

are getting bids, they are trying to get the best bid they possibly can, and the costs are skyrocketing.

These price increases have not happened in a vacuum. They are the result of the 2,000-page, $2.6 trillion health care bill signed into law 1 year ago. One year after that bill was signed, small businesses are facing unprecedented premium increases. Their policies are being canceled as insurers close up shop because of new Federal regulations.

The reality of the small business tax credits touted by the administration are really just an empty promise that a majority of small businesses will never see. In fact, the Obama administration estimated that by 2013 as many as 80 percent of small businesses will not even be offering their current health care plan anymore due to the new Federal regulations and mandates and the increasing costs, leaving the promise our President made—if you like what you have, you can keep it—as a distant memory.

A former Director of the Congressional Budget Office has warned that health reform includes strong incentives for employers and employees to drop employer-sponsored health insurance for as many as 35 million Americans.

A recent employer survey conducted by the National Business Group on Health reports that 81 percent of employers have experienced increased administrative burdens because of health reform. This same survey also reported that because of the increased cost from health reform, 68 percent of employers are increasing the contributions required for dependent insurance coverage. The Congressional Budget Office agrees and has reported that these increased burdens and mandates on employers will result in fewer jobs, as well as a shift from full-time to part-time jobs in our country. The Congressional Research Service adds that lower wages will also become a reality because of the new employer mandates.

The only good news our small businesses have gotten recently on this health care reform bill is from the courts. Two Federal courts have found the law unconstitutional—one in Virginia and one in Florida. In January, the Florida judge voided the entire law because the Constitution doesn't allow Congress to force individuals, small businesses, or families to purchase anything just because you live in this country. That is why I am offering an amendment to S. 493, the small business innovation bill, that would delay any further implementation of health reform until the Supreme Court rules whether the law is actually a valid law.

Included within the 2,000 pages of the law are provisions that harm small businesses, their employees, and families. The health reform law contains $500 billion in new taxes, cuts nearly $500 billion from Medicare to fund the new government entitlement, and puts the Federal Government between patients and their doctors. Health reform requires individuals and businesses to buy government-approved health care or have IRS agents knocking at their door. If business owners want to grow their business and hire new employees, health reform says: If you have over 50 employees, there will be costly new Federal regulations with which you have to comply. Small businesses across the country that now have 48 or 49 employees are facing a Federal mandate that discourages them from hiring more people. And this is occurring during one of the highest unemployment rates in our country's history.

We need to get government off the backs of small businesses, our job creators, and stop putting up miles of redtape that restrict innovation. This bill is the perfect place to do it.

My amendment would pause further implementation of this law so that we don't spend millions of our taxpayer dollars and our small business dollars implementing a bill that ultimately could be struck down by the highest Court in the land in a case that has already said the law is unconstitutional. It is making its way to the Supreme Court as we speak.

In addition to the effects on the individuals and small businesses of our country, State legislators and Governors across our country are also making very tough decisions needed to close nearly $125 billion in budget shortfalls. They too are having to meet the Federal mandates of health care reform. Their Medicaid systems are being drastically impacted.

Some States are saying, because of the Florida judge's ruling, they are not going to go further in implementing the law. They do not want to spend the millions if the law is going to be declared unconstitutional by the Supreme Court. On the other hand, we are putting them in the position of taking a chance because there are fines if they do not implement the law in a timely way, according to the law that was passed. If they do not implement it, while the court has said the law is unconstitutional, they could pay, on the other end, by having fines because they did not implement it.

My home State of Texas is going forward with implementation, but they are facing a $27 billion shortfall in their budget. Yet they are spending money that may be money down a rat hole to implement a law that may not be a valid law.

Today we could take one Federal mandate off the list. Today we can make it easier for job creators to create jobs. The least we can do for the businesses and States and families in our country is to delay the burden, the mandates, the regulations and taxes until the highest Court in the land rules on whether it is a valid law.

This amendment would not affect any of the law that has already been implemented. We are not doing something that is retroactive at all. But when this bill passes, everything going forward would be halted until the Supreme Court has ruled on whether, in fact, the health care law that was passed last year is a valid law. I ask my colleagues to join me in taking this heavy burden from our employers and our States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, let me thank the Senator from Louisiana, Ms. LANDRIEU, for her tremendous work on the bill in front of us today, the small business bill. It is so important that we keep focusing on what is most important right now for families and small business owners across the country; that is, to continue working to create jobs and boost the economy. That is exactly what this bill is all about.

Last month our economy added over 200,000 private sector jobs, and the unemployment rate fell to the lowest in 2 years. We have a long way to go, but I am confident we have turned the corner and we are now beginning to move in the right direction. But we have to continue to make progress. That is exactly why I strongly support this long-term reauthorization of the Small Business Innovation Research Program, which supports research and development efforts by small businesses that will help them grow and create jobs.

That is why I will continue working with all of our colleagues to make sure we pass a budget for this year that cuts spending responsibly while continuing to invest in programs that create jobs and boost our economy.

The Small Business Innovation Research Program, or SBIR, is a bipartisan bill that has been successfully creating jobs since it was signed into law by President Reagan in 1982. The resources this program has provided to small businesses over the years have led to new products, new ideas, and new innovations. In fact, small business tech firms that receive SBIR grants produce 38 percent of our country's taxes, they employ 40 percent of America's scientists and engineers, and they have produced many of the most important innovations that have driven our economy forward.

This program has been especially important in my home State of Washington, for over 200,000 grants have been awarded to small businesses totaling close to $700 million. One company that received the support of the Small Business Innovation Research Program is Infinia, in the Tri-Cities area of my State. Infinia was founded in 1985 as an R&D firm, but they have been able now to successfully transition to commercial production and have emerged as a leader in our State's clean-tech industry.

With support from SBIR's other programs, Infinia has been able to develop their products and grow from 30 employees to over 150. These are good family-wage jobs in that community. This is such a great example of what

small businesses can do with just a little bit of support.

There are thousands of companies across the country with similar stories that have received a critical boost from SBIR. Unfortunately, the Small Business Innovation Research Program has been operating now under a short-term authorization over the last several years, and that creates uncertainty and makes planning very difficult for companies that do want to participate in this program.

I hope we support this long-term legislation that will help our innovative small businesses develop their products and expand and create jobs and we do not continue to see all these extraneous measures added onto it that will stop us from getting it passed in the Senate and moving to a place that can help create jobs and grow our economy.

I also want to mention another issue we are going to be discussing on the floor because it is directly connected to Senate Democrats' efforts to get workers back on the job; that is, the need to pass a long-term budget bill to keep the government open through the end of this fiscal year.

I am disappointed that the same Republicans who came into office saying they were going to focus on the economy have now put forward a very damaging and short-sighted budget proposal that would literally destroy hundreds of thousands of jobs and devastate our workers and small businesses and undermine our fragile economic recovery.

I am disappointed that at a time when our middle-class families still need some support to get back on their feet, Republicans have proposed this very highly politicized slash-and-burn budget that is going to pull the rug out from under these families at a critical time.

I am disappointed that while on this side, Senate Democrats have put forward some ideas to make responsible and prudent budget cuts that will allow us to continue to out-innovate, out-educate, and out-build our competitors, that we need to do, we are seeing a Republican budget proposal that is going to hack away at the investments that strengthen our ability to compete right now and improve the quality of life for all of our families in this country.

The proposal they put forward would slash programs such as Head Start. It would decimate housing and economic development. It would eliminate community health centers that the Presiding Officer has worked so hard to put in place. It would cut off critical investments for our workers and our infrastructure.

Independent analysts have said their plan would destroy up to 700,000 American jobs. That includes 15,000 in my home State. That is a hit we cannot take right now. It would be devastating.

Senate Democrats are trying to put forward a proposal that goes in a very different direction. We will cut spending billions of dollars, but we will do it in a responsible and measured way to protect our middle-class families and not kill jobs and continue making the investments we need to compete and win in the 21th-century economy.

Unfortunately, as we all know, we were not able to pass that proposal last week. Now, unfortunately, we are back to passing a short-term funding bill just to keep the government from shutting down. I have to tell you, weekly spending bills are no way to run the government. I am hopeful that moderate Republicans will say no to the extreme members of their party and come to the table to work with us to pass a responsible long-term budget that will help us create jobs and invest in middle-class families and workers across the country. That is what this is all about: creating jobs, getting our economy back on track, and setting our country up for continued success and prosperity now and in the future. That is exactly why this debate is so important, and it is also why having the Small Business Research Investment Program is so critical.

I urge my colleagues today to support this reauthorization, to support small businesses and investment in innovation and growth. I hope we can get rid of these extraneous matters for all of us to come together and do something that helps create jobs and gets our economy back on track rather than diving into all the political debates of the past and offering all the amendments we can think of in order to slow it down.

This bill is important, and I hope we can move it forward to final passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise today in strong support of the Small Business Innovation Research Act. I congratulate and thank our distinguished chair, the Senator from Louisiana, for her leadership and advocacy for small business. I was pleased to join with her as we worked very hard last fall to pass the Small Business Jobs Act to create more capital for small businesses to be able to grow and thrive and start a new business, expand their business. The eight different tax cuts that were in that proposal as well are beginning to take effect and help our small businesses.

This particular bill in front of us is one more opportunity for us to partner with small businesses that are on the cutting edge of innovation and new ideas. We just passed a patent change to update our patent laws last week. I am proud the one satellite patent office in the country is in Detroit because we are the heart of innovation and new technology. We need to make sure small businesses are able to compete successfully and have the partnership knowledge they need to create these innovations. That is what this legislation does.

We know small businesses create two-thirds of all new jobs in America. Our top priority should be working with them to create an environment so small businesses can thrive and create jobs. I have to say, even in our wonderful automobile industry, which is roaring back, the majority of our jobs are in the small- and medium-size suppliers. It is very much about small business and medium-size businesses.

This particular program was first created by President Reagan in 1982, and it has helped literally tens of thousands of small businesses create jobs—new ideas, new innovations in our economy. We have led the way in a variety of military and communication and health care innovations. It has been extremely successful. In fact, small business tech firms have participated in SBIR producing 38 percent of our patents. Thirty-eight percent of America's patents have come from small businesses involved in the tech sector partnering with the Federal Government on new innovative opportunities—13 times more patents than coming from large businesses.

This is a big deal. This is very much about out-innovating in a global economy so we can compete globally and create jobs. Our small businesses in the tech sector employ about 40 percent of our scientists and engineers. They produced 25 percent of our Nation's crucial innovations over the last three decades. Unfortunately, this important partnership has been allowed to nearly lapse, and it had to be reauthorized 10 different times in the last 3 years—over and over again, for just a few months at a time. It is impossible for small businesses to plan for the future and be able to create those innovative investments and partnerships without a long-term view.

We have in front of us a bill that would reauthorize this important partnership for the next 8 years and give some opportunity to plan a little bit more long term, which I think is also critical.

We have many outstanding small businesses that are partnering right now with our universities and with our Federal agencies to create jobs and innovations. One of those outstanding entities is Cybernet Systems in Ann Arbor, a leader in research and development in the medical and defense fields. They are one of the largest small business innovative research contract winners. Because of their success they have now added up to 60 employees, and they have had 30 patents as a result of the SBIR Program.

Another important entity is Niowave in Lansing, MI, a high-tech business specializing in superconducting particle accelerators. They have been doubling their staff, and talking to them today, tripling their workforce because of new innovations they have created, they have now been nominated for the National SBIR business of the year.

Finally, an important part of our economy in Michigan—and nationally as we look to alternatives to bring down gas prices by having better competition for alternatives, alternative

energy through battery policy and electric vehicles—has been aided by the small business program in front of us today.

As an example, A123 Systems is a company that has received SBIR support. I was very pleased in September of last year to join with them when they opened the largest lithium ion battery manufacturing plant in North America, in Livonia, MI, and they are now creating 400 jobs.

I could go on and on. I will not in the interest of time. But focusing on small business, focusing on innovation, new technologies, will create jobs, allow us to out-compete in a global economy, and allow us to grow our economy. We in Michigan are very proud to be helping to lead the way.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I know Senator PORTMAN is here on the floor, and under a previous order will be recognized in a few minutes. But before that, for clarification purposes on the previous agreement, I want to state that the next first-degree amendment in order after Senator HUTCHISON, who spoke a minute ago, will be from the Democratic side.

As a recap, there are, I think, seven amendments pending. We are hoping to get some votes on those amendments that are pending later this afternoon, potentially in the morning. If there are other amendments Senators have to offer, come down to floor. We want to limit, of course, what we can. It is very important for us to move this bill forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TWIN CHALLENGES

Mr. PORTMAN. Mr. President, I appreciate being given the time to make a few remarks as a new Senator from Ohio. To be in the Senate, representing the people of Ohio, is a great honor and solemn responsibility, particularly at this critical time in our Nation's history.

And it is actually not an honor I expected to have. After representing southern Ohio in the U.S. House for 12 years, and serving in the Bush administration, I returned home to Cincinnati, OH, 4 years ago. Although we had kept our home in Cincinnati, and raised our kids there, I had commuted for 15 years, and it was time to be home with three teenagers, my amazing wife Jane, and other family members including my dad, one of my true heroes.

At that time, my predecessor, Senator George Voinovich, was serving with distinction here, and had said he intended to run for reelection. I was happy to be back in the private sector, involved in two small family businesses, practicing law, teaching at the Ohio State University and enjoying being a dad, including getting to coach my daughter's soccer teams. But I was also watching with apprehension the worsening economy and the way the administration and Congress were responding.

When George Voinovich announced he would not seek reelection to the Senate, I made the decision to run because I was so concerned with the direction of my State and our country. I saw the bottom falling out of the Ohio economy. And I saw firsthand the pain that comes with layoffs and downsizing.

Like others, I was frustrated that while Ohio small businesses and families were making the tough decisions to deal with a deepening recession, the Federal Government seemed immune, and out of touch. Instead of cutting expenses and figuring out how to do more with less, and focusing on private sector job growth, the Obama administration and Congress responded with a big government approach. Unfortunately, the $800 billion stimulus package had less to do with creating private sector jobs than growing the size and scope of government.

And, in the midst of all this, I saw a new national health care bill working its way through the system that would substantially increase the Federal Government role and lock in place the unsustainable costs and inefficiency of our health care system, making health care even more expensive for families and small businesses and making it harder to deal with the exploding costs of health care in the Federal budget.

And I saw record deficits building up to dangerous levels of debt that further threatened our economy.

These issues, these deep concerns over jobs and the direction of our economy and fiscal crisis we face as a nation are my focus now in the Senate. And I am not alone. Whether Republican, Democrat, or Independent, I believe Ohioans understand that our State and our country are in trouble, and it is going to take real change and all of us working together across party lines to set things right.

I believe the twin challenges of our time are how to revive the American economic miracle, and how to stop the reckless overspending by government that threatens to extinguish the American dream. And one affects the other. Without a growing economy and more jobs we cannot hope to reverse the dangerous trend of record deficits and deepening debt.

And without getting our spending under control, we can not get our economy moving. It is not one or the other.

These two goals are not inconsistent; in fact, they are reinforcing. With the fiscal time bomb on our doorstep and all the uncertainty it creates, we will never see the kind of strong recovery we hope for. We have to do both.

In addition to taking steps to get our fiscal house in order, we revive the American economic miracle by moving aggressively to create the climate for job growth, for innovation, invention, and entrepreneurship. We need an environment that encourages risk-taking and private investment, which economists will tell you is the biggest challenge we face in this weak recovery. The current economic climate encouraged by Washington is one of uncertainty and apprehension. I have seen it all over Ohio.

Last fall, I visited an independent trucking company, Wooster Trucking, based in Wayne County, OH. Paul Williams, the owner, pulled together a dozen or so local small business owners from the area for a roundtable discussion, one of the many I have had in the last couple years. Struggling in a tough economy, these small businesses all wondered the same thing: why has Washington made it harder on them to grow and create jobs, not easier? They talked about the threat of new EPA regulations that will drive up energy costs. Depending on their business, they were worried about other specific Federal regulations or mandates in trucking, manufacturing and banking that would drive up their compliance make them less competitive.

They talked about the threat of higher income taxes coming, which creates uncertainty at a time when the opposite is needed to incentivize businesses to invest and grow. Like the vast majority of small businesses, most of those businesses around the table that day pay their taxes as individuals not corporations. The temporary extension of tax rates and capital gains and death taxes, with the very real possibility of higher taxes soon reduces their incentive to invest and create the jobs we need.

Every single small business owner around the table talked about health care. All of them said the same thing. They said, since the health care bill passed, their health care costs are going up more, not less, and how that was increasing their cost of doing business and hurting their ability to create jobs. They talked about premium increases of 10 to 25 percent, eating away any profit and chance to expand even after cutting other expenses.

At one of the 80 factory visits I have made in the past 2 years, Bruce Beeghley, an impressive small business entrepreneur in northeast Ohio, told me his orders were picking up but he was not hiring. He was paying overtime instead of hiring permanent workers for the long-term because of the embedded and increasing cost of health care.

And our education system and Federal worker retraining system is failing us in Ohio: Around the State, high-tech companies have told me they cannot find the skilled workers they need. This is wrong: At a time of soaring unemployment, there is a skills gap in America. There are high-skilled, high-wage jobs available but our schools are not producing a sufficient supply of well-trained American workers.

You cannot be out there talking to workers and management without seeing these issues. But I have heard it closer to home. In fact, I am the product of small family business. My dad,

Bill Portman, who we lost at age 88 last year, was one of those small business risk takers. He took a big risk when I was a kid. At age 40, he left a job. He had a good job with a big company as a salesman. He had health care coverage and retirement benefits. He gave it all up to start his own business, Portman Equipment Company, with five other guys and my mom as bookkeeper.

He could not get a loan and his family did not have the money and the bank would not lend him money, so he borrowed money from my mom's uncle. The company lost money over the first few years, but they kept it alive through hard work, ingenuity, and sacrifice. My brother took the reins later and took it to a new level. By the time my dad retired the company employed almost 300 people, 300 families.

We all worked there, and when I was growing up, the discussion around the kitchen table was often about how government—taxes, rules, and regulations—affected Portman Equipment and other Ohio small businesses. My dad is among my heroes because of his hard work and sacrifice. Because with my mom they built something of value. I have seen it done, and I know the role government can play and should not play in helping to create jobs and opportunities.

About a year ago, I asked my dad if he would take the same risk today. He said, ''I don't know, there's a lot of uncertainty out there . . . That is a word I hear a lot from small business owners all over Ohio. That is why a lot of job creators, or potential job creators are staying on the sidelines, and keeping their cash on the sidelines, and keeping their cash on the sidelines rather than investing in plant, equipment, and people.

Leadership is needed to create a positive climate which spurs job growth, drives opportunity and restores the American dream. Leadership is needed to get a handle on our serious fiscal issues. Instead, we are debating at the margins. You will see it play out on the floor of the Senate this week. We are locked in a fierce partisan debate about less than 1 percent of Federal outlays, actual federal spending, for this fiscal year. And we are not even addressing the biggest and fastest growing part of the budget, which is the important, but, unsustainable, entitlement programs.

In fact, as American families have tightened their belts over the past couple of years and businesses have had to do more with less, the Federal Government has taken the opposite path, spending more, growing bigger, and becoming more involved in our private economy and our lives.

Over the past 2 years, Paul Williams at that trucking company in Wooster I told you about had to cut expenses to stay afloat. They had to sell some of their trucks and let folks go. Here in Washington during that same time, the U.S. Government, though going deeper into debt, borrowing more money, brought on more government employees, and grew in size. During these same 2 years, Washington spent 27 percent more in its so-called domestic discretionary spending that is being debated this week. And that does not count the stimulus bill and other one-time spending, which gave us staggering 80 percent increase in this type of spending in 2 short years.

This historic failure to control spending, directly affects all of us because it affects our economy and the ability to create jobs. It pushes up interest rates, affecting car loans, mortgages, and student loans, and crowds out private investment, and leaves us with three bad choices, far higher taxes, even more borrowing, or both.

This will surprise no one, but recently, a group of 47 respected business economists agreed that the greatest threat to our economy was our debt and deficits.

Restoring fiscal restraint is critical to creating the certainty that employers and entrepreneurs need to create jobs across Ohio and our country. It is truly dangerous because left unchecked, these mounting debts are likely to lead to the kind of debt crisis we have seen in Greece and other countries.

The government spending more than it takes in hurts our economy today and mortgages the future for our children and grandchildren. Think about this: every child born in America today automatically, through no fault of their own, inherits $45,000 in U.S. debt.

People are looking for a better way. People are looking for leadership from Washington that takes on those challenges that Ohio's businesses and workers face. The status quo is not working. There is an urgency about this that the American people get, even while many in Washington seem to be in denial. We must rise to the challenge and work together across party lines to meet our economic and fiscal problems head-on by aggressively putting in place pro-growth measures and spending restraint, and we must do it now.

We must think and act differently to compete and win in the global economy, regain America's place in the world and give working families the hope of a better tomorrow. We can no longer rest on our laurels, no longer afford the luxury of living with a substandard education system that does not produce young people with the 21st century skills they need to succeed. We cannot afford a bureaucratic regulatory regime and a hopelessly complicated Tax Code that favors social engineering over sound business decisions. We can no longer sit back while our dependence on imported oil charts our destiny rather than American technology and innovation.

And we cannot compete and win if our health care system is so inefficient that its costs are double the rest of the developed world while outcomes are unsatisfactory, especially for those millions of American families without coverage. This is wrong for the small businesses at the roundtable I talked about earlier who are trying to provide health care and yet stay afloat. And it is wrong for working families whose rising costs are eating away at their opportunity to move up the ladder.

To revive the American economic miracle, we need to revolutionize the way we think about all the major institutions of our economy. We need structural reform of our regulatory system, energy policy, tax code, worker retraining and education, health care delivery, our trade policy and legal system. And of course, we must fix our broken budgeting process that has us so deeply in debt.

These challenges are not insurmountable. I know because we are Americans and we have done this before. We waged a World War that required more resources and sacrifices than anything we face today, and we have come out stronger. We survived a Civil War, a Great Depression, and a Cold War to emerge as the beacon of hope and opportunity for the rest of the world.

There is a long line of distinguished Senators from Ohio who were part of these historic times, including Warren G. Harding and William Henry Harrison.

One famous predecessor is John Glenn, an American hero who, along with his wife, Annie, I have been honored to know and work with over the years. And immediately follow Senator George Voinovich—one of the very finest public servants our State has ever known. Jane and I are grateful to George and Janet for their support and friendship, and for the extraordinary legacy they leave.

And there is another former Ohio Senator whose desk I requested and speak from today: Robert A. Taft, a fellow Cincinnatian, who actually worked at the same law firm where I was a partner before being elected to Congress. Like me, he also served in the executive branch. Unlike me, he was first in his class in high school, college and law school and was said to have had ''the best mind in Washington.'' Democrats joked that ''he had the best mind in Washington until he made it up.'' He was a principled and effective Republican leader. In fact, when his peers commissioned a review of the top five U.S. Senators in history, he was selected to be among them. That is why he is one of only five Senators to have a portrait in the President's Room off the Senate floor. He was a featured ''Profile in Courage'' in John Kennedy's book; on his memorial across Constitution Avenue it is written that it ''stands as a tribute to the honesty, indomitable courage and high principles of free governments symbolized by his life.''

It is always dangerous to predict how a former Senator would react to today's predicaments. But I am confident that were Robert A. Taft among us today, he would rise in full-throated

support of addressing the twin challenges we have talked about today. His honesty would force him to admit that our economic systems are not up to the global competition of the 21st century, his courage would force him to insist we address our budget woes, including entitlements, and his love of liberty would compel him to fight for solutions to our economic challenges that promote free markets and the power and dignity of the individual over the heavy hand of government.

As we have discussed, there is a lot of hard work to do. In my role, I hope to be worthy of this great and temporary privilege. I will rely on my faith, my family, and the good people of Ohio. I will work constructively with my colleagues to achieve results, including working with the senior Senator from Ohio, SHERROD BROWN, and others across the aisle. I will work every day to try to earn the confidence and trust the people of Ohio have placed in me. As we go forward together, may God bless Ohio and this great Nation and help guide us in our shared commitment to a better future.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I say to my friend from Ohio, I have listened with great interest to his first speech in the Senate. I was particularly interested in his reference to Robert A. Taft, whose portrait is in the Republican leader's office and has been there for some time. In fact, the place that is currently the office of the Republican leader became the office of the Republican leader about the time Senator Taft, in that all-too-brief period, was majority leader. He was actually only in that position for about 8 months before he passed away, but he left an incredible impression in this town, which the junior Senator from Ohio pointed out.

Listening to the new Senator from Ohio, he is entirely able to fill the shoes of those who have come before representing the great State of Ohio in the Senate. He made reference to some of them. I predict by the time the Senator from Ohio leaves this body, he will be widely referred to in the same category.

I thank him for his important first contribution in the Senate.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN of Ohio. Mr. President, I join the Republican leader in congratulating Senator PORTMAN on his first speech on the Senate floor. I remember those days some 4 years ago when I had the honor of doing that. I know how close ROB and Jane are and their children. I have seen them often over the last year, and I know the sacrifice and difficulty of leaving home, as he points out. I know he feels that way about his family. I look forward to this relationship. I look forward to what we have been working to do, especially on manufacturing, on jobs. Senator PORTMAN has visited some 80 manufacturing plants in the last 3 years. He sees what I see on the shop floors. If we keep these jobs in the United States—much of the innovation is done on the shop floor—we will continue to lead the world in innovation and continue to lead the world in job creation. That is the importance of working with small- and medium-size and large manufacturing companies.

I also would add that Senator PORTMAN already understands Ohio is the home of two major Federal installations, NASA Glenn in Cleveland and, in the part of the State I live in, Wright Patterson Air Force Base near Dayton. In the part of the State Senator PORTMAN lives in, there is the Battelle Memorial Institute, in Columbus, which, while not a Federal agency per se, serves much of the Federal Government by running the country's energy labs. There is synergism among those three, coupled with Ohio State and Case Western. I met today with President Williams of the University of Cincinnati, Senator PORTMAN's hometown. The kind of synergism that comes out of this and innovation and high-end manufacturing and all the kinds of things that he and Senator PORTMAN and I will do together in job creation, whether it is USEC in southern Ohio or the solar industry in Toledo or the auto industry in the north or the aerospace industry in the southwest and throughout the State, this kind of work will absolutely matter to put people back to work and create the kinds of good-paying industrial jobs and good-paying other jobs Ohioans aspire to, to create a strong, vibrant middle class.

I congratulate Senator PORTMAN.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I wish to thank all of my colleagues for really helping us to focus on this debate yesterday and today. We started discussing the reauthorization of the SBIR and STTR Programs within the Small Business Administration. Senator SNOWE has been on the floor most of the day yesterday and part of the day today as we have managed this bill.

As I have said many times, this particular program is the Federal Government's largest research program for small business. It was started in 1982 by a bipartisan group of Senators and House Members who believed small businesses in America had something to contribute in the technological and scientific advances in this country, and they were right. They said the Federal Government spends billions of dollars every year on research and development, and yet some of our most promising small businesses—maybe independent scientists or researchers or engineers or inventors of all different backgrounds and persuasions—could not really get in the front door of the Department of Defense or NIH. In those days, people only wanted to see people from big companies.

Well, not only was that not allowing small business an opportunity, but it was shortchanging the taxpayers because what taxpayers want is the best technology. It does not matter to them whether it comes from a small shop down the street operating on the second floor above a doughnut shop—like my father got started many years ago—or whether it comes from the back office of IBM. They just want the best, and they deserve it. This program delivers it. So this is about innovation and jobs.

One thing I want to stress again: Several people have come down to the floor and said, why aren't we—I guess meaning Democrats—focused like a laser on closing the budget gap?

Let me say that this is an effort to close the budget gap and to reduce the debt and to close the annual deficit because that can be done by cutting discretionary spending, cutting defense spending, where it is wasteful and not effective, raising revenues where it is appropriate—particularly for those making over $1 million a year would be a good place to start—and most importantly or equally important to all of the above is creating an atmosphere so the private sector can get about the business of creating jobs. That is what this program does. That is why Senator SNOWE and I are on the floor. That is why our committee voted this bill out 18 to 1. We know it is important. Innovation creates jobs.

I want to show you just three examples, as we are waiting for Senators to come to the floor to talk about their amendments. I want to share one story. This is from Connecticut.

Might I say that over the 20-plus years of this program, there have been small businesses in every State that have benefited either through grants or through contracts. The Department of Defense has about $1 billion of their research and development set aside for this purpose. Other departments call them grants. The Department of Defense actually enters into contracts with small businesses.

I am not sure if this example came out of the Department of Defense. It is not noted on the chart. But one of our agencies thought it might be important to create a device to safely transport toxic chemicals.

I am from Louisiana. We have a tremendous and are proud of our industrial base in petrochemicals. Some things we produce are really safe. Some things we produce are quite dangerous but necessary to undergird our economy. So the transport of these toxic

chemicals—to do it safely—is important.

So one of the agencies—and I do not have exactly which one—identified a company in Connecticut that might be able to come up with some such device. They did. That particular company, which is now ATMI, paid more than 10 times in taxes now that that invention has been commercialized, as we can see here on this chart. But what people really need to know is that this company paid more than 10 times in taxes than what they received from the program. This is just one example.

ATMI went from 40 employees to employing 800 people worldwide. I am hoping their company is still located in Danbury, CT, and I am hoping most of these 800 people are working in America. There is no requirement in this particular program for that to occur, and we would not want to have that requirement because we are producing technology and innovation for America and for the world, and our people will benefit from it. But let's hope that is the case. That is just one example.

A second example comes from Ann Arbor, MI. Senator STABENOW was on the floor earlier today, and I thank her so very much. She was a very strong supporter of our very important small business jobs and innovation bill in the last Congress. I am pleased the leadership has given our committee an opportunity to be on the floor with another important bill so early in this Congress.

I think Leader REID knows and feels strongly—as strongly as I do—that there are more ways to cut a deficit than the one being trumpeted on the other side of this Capitol, and it is not even a way because it will not work. All we hear from the other Chamber is cut discretionary spending and you will get there. A, we will not get there, and B, we are going to shoot off both feet in the process of trying to go down that road because it is a road to a dead end.

You cannot get to where we want to go the way some people are arguing. We can get to reducing our deficit, eliminating our debt, by doing all four of the things I mentioned, and one of them is creating jobs and doing it in the private sector.

This is a Cybernet ammo sorter, as shown on this chart. This did come from the Defense Department. When people ask, how can you save millions of dollars, well, this particular invention has saved the government hundreds of millions of dollars in defense costs over 5 years. It started in Michigan. Now it is expanding to Florida. That will make Senator NELSON very happy. It was initially implemented at one of our camps in Kuwait. It was in support of Operation Iraqi Freedom. It is now also in use at Fort Irwin, the National Training Center in the Mojave Desert, where troops train before deployment. It sorts ammunition in a way that saves our troops many manhours and hundreds of millions of dollars.

So there is another way to cut spending besides just slashing and burning some of the best programs in the world, literally. Some of the best programs in the world have been left on the chopping block—not just in America, in the world, have been left on the chopping block—on the House of Representatives floor.

I might suggest that they think outside the box and they think of other ways to reduce spending, which is investing in smart investments that streamline operations, that create efficiencies and save taxpayers money and create jobs at the same time; thus, companies can pay in more taxes at the local, State, and Federal levels, and we continue to get spending under control and reduce our deficit.

So that is Cybernet's Automated Tactical Ammunition Classification System. Leave it to the Department of Defense to make up such a name.

As shown on this chart, this is Beacon Interactive Systems' TurboWork out of Cambridge, MA. This company created technology to help sailors keep the fleet safe through streamlined and uniformed maintenance. It will be going now into all 250 ships in the Navy, and 460,000 sailors will use this technology developed out of the SBIR Program every day to protect and preserve our warships. In its first full year of implementation, the software should give a 300-percent return on the initial SBIR investment.

The Presiding Officer knows this because he has been a very strong advocate nationally—not just in the State of Oregon—for small business. The Presiding Officer knows that with a little investment at the right time, there can be a tremendous upside, and that is what we are seeing here with this program.

Our initial grants are only $150,000. People might say, geez, what can you do with $150,000? Well, $150,000 given to the scientist or the engineer or the inventor at the right time can help provide that half-year or year of research and development necessary to grow and to mobilize the technologies to develop it into something that could work. Then phase II comes in with the potential: If it looks inviting and exciting and interesting to the agency, they might award such a grantee another $150,000 for phase II, and then it can go up to $1.5 million. That is the way these companies or these ideas grow.

At some point, this program ceases to be necessary because what happens is it either becomes clear to the people managing it that this idea has failed, the technology is not going to work and the grant is simply shut down or the contract comes to end, then, yes, that money will be lost. But what often happens, although not in every case, is that technology goes to such a phase that it becomes so promising that venture capitalists step in, as they should, and other investors step in and take that company way up. That is what happened to Qualcomm. Twenty years ago nobody ever heard of them. They got a small grant from this program and they were one of the winners. We were winners too, not just the company, because now they employ 17,800 people operating in more than 30 countries worldwide. They paid in taxes in 1 year half of the cost of this entire program.

As the doctor who researched this program said to us in our hearing—we have five new members of our committee from the Republican side and Senator SNOWE and I wanted to give them a chance to understand this bill. I am proud to say all but one supported it coming out of committee when they understood—of course, some of them had served in the House before and were familiar with this. But when they understood that this has been one of the most successful programs, and when it was reviewed by—I think it was Dr. Wessner who gave us a review of the program, he said, Let me tell you, Senator: If every single grant produces a company, you are running the wrong kind of program. Because this is a high-risk effort, but it is a risk that over time has paid off tremendously to the taxpayer and will continue if it continues to run in that fashion.

We have tightened up fraud and abuse statutes in this bill. We have put in more oversight, which Senator SNOWE and I thought was important, not to heavily burden the program but to make sure the people in our Departments, whether it is in Defense or NIH or the NASA program, are utilizing this program to the extent and with the spirit Congress intends. So we have made some adjustments, some perfections through some adjustments and modifications, and we think we have made this program hopefully even stronger.

Not every grant that is given will result in jobs, and it will be folded. But when it works, it works, and we are so benefited as a nation. In fact, there was also testimony given before our committee that countries all over the world are trying to model some of their programs after this one. They keep asking: How is it in America you have such an innovative spirit? How is it you start so many small businesses, and many of them—not all—succeed? What is it?

It is a number of things. It is our own nature and spirit. It is also because people have traditionally had a variety of accesses to capital, whether it is equity in their homes or a savings account or a banking system that is for the most part very honest and transparent. We have had some difficulties in the past few years with some of the antics on Wall Street that caused people to catch their breath. Generally, compared to many other countries in the world, our people have access to those things—private property they own. In many countries people can't even own private property. They can't even get a clear title to property, so how can they borrow against it to start a business? They don't.

There are many things that go into this miracle we call the American economy, and this is a big part of it. The Federal Government doesn't do it all. But I am hoping, as people consider this debate, every State in the Union will create a similar program. Some of them already have. I will try to provide to all the Members here a list of what their individual States have done. Because if we think about it, the large cities, whether it be New York or San Francisco or Detroit or Chicago—if every city government would think about setting aside a small portion of some of their research and development money to push out the small businesses that aren't obvious sometimes to Wall Street and New York or they are not obvious to Pennsylvania Avenue and Washington or they are not exactly located in the Silicon Valley in California, but there are budding entrepreneurs and Americans with great ideas and great drive and great determination—I am hoping our government can be smarter. I would like the Federal Government to be as smart as it can possibly be, and I am hoping our State governments will look at this program as a model and, potentially, cities.

I can tell my colleagues one thing I am very excited about. I haven't talked with them about it specifically, but I have spoken at some length to the Goldman Sachs executives, and I wish to speak for a minute about a program I am very impressed with. It is not something we are doing. It is something they are doing, but I think it is worth mentioning here.

Goldman Sachs has decided to try to create 10,000 new small businesses in America—not new small businesses. They are trying to grow 10,000 small businesses in America. They have a very strategic plan and one I am watching very closely for a number of reasons. One, their model is scaleable and other companies could potentially do it and maybe we could model some kind of Federal program, if theirs is successful.

Secondly, I am watching it closely because one of the cities they chose for their pilot is the City of New Orleans, the city I represent. My brother serves as mayor there now. He is very engaged with the leadership there, because New Orleans has become a hotbed of innovation. When I hear President Obama talking about out-competing and out-innovating, that is not going to happen on Pennsylvania Avenue or right down on the intersection of M and Wisconsin in Georgetown. It is going to happen on Canal Street and in the lower ninth ward in New Orleans east, in Gentilly, and places all over the world.

Goldman Sachs is saying, All right, Mr. Mayor, you get the city leadership and one of the community colleges to get the training. We jointly choose these entrepreneurs that have promise—they are already established and they have proven they can run a business and they can turn a profit, but they are stagnating. They are smaller. They have the potential to be larger, but they are not. What is it that is causing this? Maybe lack of knowledge, lack of capital. Our Delgado Community College—and I am very proud of Delgado. It is one of the finest community colleges in the country. Delgado stepped up and said, Let us put them through the training. When they succeed and successfully exit the training—and I believe it is a 6-month to 9-month program—at the other end, Goldman Sachs gives them a check for X amount of money. I am not sure if it is $25,000 or $100,000 or $200,000. I will get that into the RECORD so we can be clear. But they give them a check so they have the capital and know-how and then they have the support of some of the nonprofits in the area to help them grow.

Think about that. If that is something only one company is doing, think about what companies such as Chevron—and I see them advertising—what they are doing to help small business. I think about other companies. American Express with their Plum card, if I am correct, talks about what they are doing. I am not promoting these companies, but they are examples of programs that are out there supporting small business. The Federal Government can do its part as well, and we have an obligation. We can't do everything, but we most certainly can do our part, as many large companies around the country and the world are also thinking about what they can do to help grow small businesses in their area. That is just one example.

We are going to watch the success of some of these programs in the private sector, and then we will get some of their best ideas and potentially even strengthen our partnership. But this is a partnership between the Federal Government and private small businesses throughout our country.

Let me switch for a minute to mention a couple of the organizations that are supporting this program. I don't see anyone on the floor at this time to speak, so let me read into the RECORD again some of the comments we have received from very strong organizations.

The Small Business Technology Council says:

> Not only does this SBIR program spur technological innovation and entrepreneurship, it helps create high-tech jobs and does so without increasing the Federal deficit.

The National Small Business Association says:

> The uncertain future of this program—

and as I said, for 6 years it has been operating on short-term arrangements: 3 months here, 2 months there. For 6 years, nobody has had any idea, either from the private sector, from some of the best labs, from our agencies, whether this program would be there next week. That is unconscionable. That is why Senator SNOWE and I have fought so hard to get this program authorized.

I see Senator COBURN on the floor, the Senator from Oklahoma, and I wish to thank him, because as a result of his good compromising efforts with us last Congress we will be able to authorize this program for 8 years, as the Senator will know, because he has been a strong advocate for good management and streamlining. Programs such as this need certainty. The labs, our agencies need to know. We are looking out 2 years or 3 years for this new technology, but if there is a company out here we think could provide it to us, we need to know. So this 8-year authorization is important. I thank the Senator from Oklahoma, because some programs are only authorized for 4 years or 5 years. But we feel because we have been in limbo for 6 years, it would be a good idea to get an 8-year authorization.

One more comment for 30 seconds and I will yield the floor. I wish to read into the RECORD the letters of support from a short list of companies, and as additional ones come in we will read into the RECORD their support:

The Bay Area Innovation Alliance has sent their support. The Bio District of New Orleans, the Biotechnology Industry Organization, Connect of California, the National Defense Industrial Association, the New England Innovation Alliance, the National Small Business Association, the National Venture Capital Association, the Small Business Association of New England—and I wish to thank Senator SHAHEEN particularly for her support—Small Businesses of California, Small Business Technology Council, V-Labs, Inc./American Chemical Society, and the United States Chamber of Commerce, to name a few.

Let's keep this debate moving forward. We have had a number of amendments today. I see Senator COBURN on the floor.

I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I thank the chairwoman for her kind words. It is necessary that we move this bill, I agree. I am thankful to Senator LANDRIEU and the ranking member for the movement on some of the commitments they made to me on programs that don't work within the small business area.

I have multiple amendments, but in due deference to the chairwoman, I will not call those up. I am going to call up two. I wish to explain both of them.

Amendment No. 184. Everybody was excited about the GAO report that looked at the first third of the Federal Government in terms of all the duplication. We don't know the extent of that duplication, and we are going to have to do some hard work to winnow out a lot of savings, but there are a lot of savings. People don't agree with me on my estimate, but nobody knows these programs better than I do. I have been studying them for 6 years. There is at least $100 billion where we can

save the American taxpayers and actually do a better job through redesigning the programs and eliminating the bureaucracies that make them less than effective.

So one of the things we need to do to help GAO is have the agencies report to OMB and to us on a yearly basis on their programs. There are at least 2,100 programs that we know of in the Federal Government. When GAO looks at this, it is very difficult for them to ferret it all out. We only have one agency that publishes a list of their programs every year, and that is the Department of Education. The book is very thick, and it lists all their programs. That will make it much easier for GAO to do the next third.

This is a simple amendment that requires every department of the Cabinet to fulfill to OMB, within a short period of time, all their programs and also report to us. When that happens that will make GAO much more effective in how it brings to us this next group of duplications. So it is a straightforward amendment. I hope it can be accepted.

AMENDMENT NO. 184

Mr. President, I ask unanimous consent to call up amendment No. 184 and make it pending.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. There is no objection. But before we do that, I ask the Senator a question. I actually like this amendment, No. 184. The Senator spoke with me about this previously. It has some merit. I thank the Senator for being cooperative.

If he could identify his other number, I would like to suggest that if we can get a Democratic amendment slid in between these, we might call up his two and the Democratic one.

Mr. COBURN. The other amendment is No. 220.

Ms. LANDRIEU. Would the Senator mind explaining that amendment, and I will make sure it is cleared on our side and we will see what we can do.

Mr. COBURN. Mr. President, I understand my first amendment is up and pending; is that correct?

The PRESIDING OFFICER. Without objection, the clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 184.

Mr. COBURN. I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a list of programs administered by every Federal department and agency)

At the end of title V, add the following:

SEC. ___. REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.

(a) Each fiscal year, the head of each Federal agency shall—

(1) identify and describe every program administered by the agency, including the mission, goals, purpose, budget, and statutory authority of each program;

(2) report the list and description of programs to the Office of Management and Budget, Congress, and the U.S. Government Accountability Office; and

(3) post the list and description of programs on the agency's public website.

(b) Not later than 120 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall prescribe regulations to implement this section.

(c) This section shall be implemented beginning in the first full fiscal year occurring after the date of the enactment of this Act.

AMENDMENT NO. 220

Mr. COBURN. Mr. President, I will discuss amendment No. 220 now. Is the chairman's intention that I defer calling up that amendment right now?

Ms. LANDRIEU. I may not have an objection. We are trying to get it cleared on our side. If the Senator will explain it, we can get back to him in short order.

Mr. COBURN. Amendment No. 220 is about making sure we don't send good money after bad. When you go to the pump today to buy gasoline that is blended with ethanol, you pay, as a taxpayer, $1.78. As a taxpayer, you pay that before you ever pay the $3.51 we are paying per gallon, through incentives, tax credits, and rebates for ethanol and blending.

This doesn't take away incentives on corn-based ethanol. It says that because we already have a mandate that says 15 billion gallons of ethanol must be available and put through the system this year, no longer is there a necessity to have a blender's credit to the tune of $6 billion a year. So what this does is two things: One, it takes away an incentive that is no longer needed because we have already mandated the ethanol will be there. But it saves us $6 billion that we are paying to firms that are going to do the business whether we pay it or not.

So it is silly to continue to spend $6 billion of American taxpayer money of which almost $3 billion of it will be borrowed money from either the Federal Reserve or from the Chinese to incentivize something that is already mandated to happen.

If we look at ethanol, it is two-thirds as efficient when blended as gasoline. It gets poorer mileage, and there is no savings in terms of carbon output or pollution. So we are incentivizing the use of a fuel that goes against what most people would like to do environmentally. It causes us to markedly increase the cost of food, which we are seeing in our country and around the world today, and we are incentivizing something that is going to happen anyway.

So it is a straightforward amendment. It says on the blender's tax credit we are no longer going to give a credit for something on which we already have a market—we are going to do without it. Some will say that is a tax increase. But when we send $6 billion to a small segment of American industry, and it is not going to impact their sales at all, what is the purpose for having tax credits? If we use tax credits or expenditures to expand the economy and it is not doing that, why would we continue to do it?

As part of the President's deficit commission, we looked at that and said it is a no-brainer. There is no reason we would incent something that is already mandated by law and has to happen. I know it is a controversial subject for a lot of my colleagues from farm States. But the fact is, worldwide sophistication and food preference has markedly increased. This is creating an enormous pressure in taking food stocks out of the human food chain and putting it into the energy chain. So we are not stopping that. There are still all the other credits available, incentives and mandates. But we are saying we should not spend $6 billion of American taxpayer money that we don't have—by the way, we do not have it—for something they are going to do anyway.

The other point I make is that we are now a net exporter of ethanol. A lot of people don't recognize that. Through November 2010, we exported 397 million gallons of ethanol. That is almost 1 billion gallons since 2005. Not counting the blender's credit but all the other credits, we are supporting that to the tune of $1.20 a gallon.

Now we are subsidizing the consumption of ethanol in Europe to the tune of $1.20 a gallon. That makes no sense when, in fact, we have significant energy needs ourselves.

My hope is that we will consider this amendment and that we will vote on it. I recognize it is going to be a close vote. My count is at 55, and I know we have to get 60. I want the other 45 Members of our body to go and explain to their constituents why we are sending $6 billion to something that is going to happen anyway. It is a gift. That is all it is. We don't have $6 billion to spend that way.

The other point I will make is that with the trouble we are in, we are not going to get out of it by cutting $200 billion at a time. We are going to get out of it $6 billion at a time. Senator BEGICH and I found $1 billion in the FAA bill from earmarks that are tied up. So if we do it $1 billion, $2 billion, $3 billion, $4 billion, $5 billion, or $6 billion at a time, pretty soon it will add up and we will take pressure off our country in terms of funding our debt.

The ultimate course has to be to convince the world that we get it, that we can't continue to borrow 40 percent of our expenditures in the world financial market and expect them to continue to loan us money. It is very straightforward.

My corn farmers in Oklahoma don't like it, and I understand that. It is about doing the right thing for our country. Now is the time to do it.

I yield the floor.

Ms. LANDRIEU. Mr. President, I appreciate the cooperation of the Senator from Oklahoma. We have been able to

get his amendment No. 184 pending in the list of seven others, which gives us eight pending but not yet set for a vote. If he would allow me to get back to him about whether I will be able to clear that, I would appreciate it. Senator SNOWE is not on the floor, and we need to consult with her.

The number of the Senator's other amendment is 220. I will let him know within the hour about that.

Senator SHAHEEN is here. I appreciate her letting me say—and she will ask to be recognized—that she has been an outstanding member of our Small Business Committee. She most certainly was the job creator in chief in New Hampshire and has brought a tremendous amount of expertise to the Senate. I am very pleased to have her input on many of these bills that come out of our committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Louisiana, Ms. LANDRIEU, for those nice words and also for her leadership. We are all indebted to Senator LANDRIEU and Ranking Member SNOWE for their leadership of the Small Business Committee and in bringing forward this legislation before us, the small business innovation research program.

They worked very hard in the last session of Congress to get this bill through the Senate, and it would have passed then except the House adjourned before taking it up. I am thrilled that we are getting back to it this early in this session.

I think most of us recognize that our future economic prosperity depends on whether this country continues to be a leader in science and innovation. We can't compete with India, China, and other Third World countries for low-wage manufacturing jobs. That is not our future. America's future is to be the global leader in science and technology. America makes the best, most innovative products and services. That ingenuity and excellence is our chief economic strength as a nation.

As a former small business owner, I understand it is the private sector and business, and not government, that is responsible for most of the job creation in this country. But I also understand that government has a critical role to play in fostering the positive business climate that we need in this country to remain competitive. I believe there are a few things we can do through policy to unleash the innovative spirit that is so alive and well throughout this country, and particularly in my State of New Hampshire.

One of those policy initiatives that we can do that is essential in maintaining the creative dominance that has allowed us to lead the world in innovation is to enact a long-term reauthorization of the Small Business Innovation Research Program or the SBIR Program.

SBIR is not just a typical grant program. Under the SBIR Program, a small business is able to compete for research that Federal agencies need to accomplish their mission—agencies such as the Department of Defense. Small businesses employ about one-third of America's scientists and engineers and produce more patents than large businesses and universities. Yet small business receives only about 4 percent of Federal research and development dollars.

SBIR ensures that small business gets a tiny fraction of the existing Federal research dollars. Just in the last few weeks, I visited three New Hampshire companies that are doing cutting edge research because of the SBIR Program. Those three are Airex in Somersworth, Spire Semiconductor in Hudson, and Active Shock in Manchester. The research they have done under the SBIR Program has allowed them to develop new products, to add customers, and hire new workers—in other words, create jobs. All three have done essential research for the Department of Defense.

Airex, for example, has developed a state-of-the-art program to manufacture critical components for our Nation's strategic missiles. This SBIR award positioned them perfectly to compete and win a contract to manufacture motors for use in military programs and to commercialize their research. They have been able to expand from a workforce of 10 to, currently, 25 workers since they got that SBIR award, and they are continuing to grow.

In Hanover, we have a company called Creare that is a poster child for the economic benefit that can be reaped through the SBIR Program. Senator LANDRIEU has talked on the floor about Qualcomm in San Diego. We should put Creare in Hanover, NH, in the same category as Qualcomm.

Creare can trace more than $670 million of revenues they have earned because of the SBIR Program, its spin-offs, and technology licensees for the commercialization of its SBIR projects.

Many New Hampshire small businesses have successfully competed for SBIR funding in the 28 years since the program has been in existence. All across New Hampshire, small businesses that otherwise would not be able to compete for Federal R&D funding have won competitive SBIR grants that advance technology and science and create good jobs—what we all want to happen right now in this economy.

In just the last 2 years, New Hampshire firms have won 80 SBIR awards, and, in fact, despite its small size, New Hampshire is ranked 22nd in the country for the total grants awarded through the Department of Defense under the SBIR Program.

As a Senator from New Hampshire, I take particular pride in the SBIR Program because it was New Hampshire Senator Warren Rudman who, back in 1982, sponsored the Small Business Innovation Development Act which established the SBIR Program.

SBIR has a proven track record and its cost, as Chair LANDRIEU has said so often on the floor, is minimal. CBO estimates that implementing this bill would cost only $150 million over the next 5 years, and most of that minimal cost would have zero impact on the budget. That is because what this bill does is establish a 3-year pilot program that authorizes participating agencies to use the same dollars they set aside anyway for SBIR research to pay for administrative costs. That means we will not be using general operating funds to pay for administrative costs, and this bill imposes no mandates on business and imposes no costs on State and local governments.

We need to address the long-term deficit and debt in this country. Our colleague from Oklahoma just spoke very eloquently to the need to do that and what it is going to take. We all know that. But the best way we can start dealing with the debt and deficit is through more robust economic growth. Objecting to the SBIR Program, as some have done, on the grounds that we should be focusing on the deficit alone makes no sense at all because the jobs created by the SBIR Program will lower the deficit.

Just like stopgap budgeting is bad for business, so are stopgap extensions of the SBIR Program. Unfortunately, SBIR has been operating under short-term extensions—10 of them—since 2008. Short-term extensions are a problem because, as I hear and I know we all hear regularly from businesses—they need certainty in planning. This bill reauthorizes the SBIR Program for 8 years. It is a reasonable period of time, and it will allow small businesses and Federal agencies to effectively plan their research.

I know we have heard from some quarters and it has become fashionable on the part of some people to say that this country's best days are behind us. But I do not believe that for one moment. As I have traveled around New Hampshire, I see cutting-edge innovators who are creating jobs. We in the Senate know what needs to be done. We just need the will to do it.

I urge all our colleagues to join Senator LANDRIEU, Ranking Member SNOWE, and the Small Business Committee in voting to reauthorize and strengthen the SBIR Program.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO FRANK BUCKLES

Ms. LANDRIEU. Mr. President, we are waiting 10 or 15 minutes for Senators to come to the floor to speak

about the bill. Senator SNOWE, myself, and others have fairly described it for hours today and yesterday. I thought I would take a minute to pay honor to a gentleman, the last U.S. veteran of World War I, who was laid to rest in Arlington Cemetery just yesterday and to put into the CONGRESSIONAL RECORD an article. I would like to read as much of it as I am able before the other Members come because it struck me as something important. It is a beautifully written article in the Post this morning. I hope many people got to see it. I am hoping many of our Members are able to read it. I learned some things I had actually no idea about, which will become apparent as I read this short article. It was beautifully written by Paul Duggan.

I thought I would take a minute to read it into the RECORD. This is the last U.S. veteran of World War I so, of course, it was not just any ordinary funeral—not that any funeral is ordinary. It was extremely special to our country and to the world. President Obama was in attendance. Vice President JOE BIDEN was in attendance. I would like to read as much of it as I can:

A lowly corporal of long ago was buried Tuesday at Arlington National Cemetery, ushered to his grave with all the Army's Old Guard solemn pomp.

Frank Woodruff Buckles lived to be 110, the last of nearly 5 million U.S. veterans of a dimly remembered war—a generation now laid to rest.

In a late-day chill, after hundreds of strangers had paid their respects in public viewings since the weekend, soldiers carried the former doughboy's flag-draped coffin partway up a knoll and set it on polished rails above his plot, a stone's toss from the grave of his old supreme commander, Gen. John J. ''Blackjack'' Pershing.

A chaplain commended his soul to God; rifle volleys cracked; a bugler sounded taps below the gentle rise. With flags at half-staff throughout the U.S. military and government, it was a fine send-off for the country's last known veteran of World War I, who died peacefully Feb. 27 in his West Virginia farmhouse.

Yet the hallowed ritual at grave No. 34–581 was not a farewell to one man alone. A reverent crowd of the powerful and the ordinary—President Obama and Vice President Biden, laborers and store clerks, heads bowed—came to salute Buckles's deceased generation, the vanished millions soldiers and sailors he came to symbolize in the end.

Who were they? Not the troops of ''the Greatest Generation,'' so celebrated these days, but the unheralded ones of 1917 and 1918, who came home to pats on the back and little else in an era before the country embraced and rewarded its veterans. Their 20th-century narrative, poignant and meaningful, is seldom recalled.

''I know my father would want me to be here,'' said Mike Oliver, 73, a retiree from Alexandria, leaning on a cane near the cemetery's amphitheater hours before the burial. Inside, a hushed procession of visitors filed past Buckles's closed coffin in the chapel.

''I'm here for Mr. Buckles, and I'm here for what he represents,'' Oliver said. On his left lapel, he wore a tiny gold pin, the insignia of his long-dead father's infantry division in World War I, the Army's 80th. ''I'm here to say goodbye to my dad,'' he said.

Buckles, who fibbed his way into the Army at 16, was a rear-echelon ambulance driver in war-ravaged France, miles behind the battlefront. More than 116,000 Americans died, about half in the fighting, most of the rest from illnesses, in the nation's 19-month long engagement in a conflict that scorched Europe for four years.

Now the veterans who survived are all gone. What's left is remembrance—the collective story of 4.7 million lives, an obituary for a generation.

Arriving stateside in 1918 and 1919, many of them, scarred in mind and limb, they were met by postwar recession and joblessness.

A lot of veterans thought that they were owed a boost, that they ought to be compensated for the good civilian wages they had missed. But—

Unfortunately, my words—

lawmakers, year after year, said no.

''Oh, the YMCA did give me a one-month free membership,'' Buckles recalled when he was a very old fellow. Except for the $60 most veterans got from the government when they mustered out, the YMCA gift was ''the only consideration I ever saw given to a soldier after the war,'' the last doughboy said.

What he and other veterans finally received, in 1924, were bonus certificates redeemable for cash in 1945. And Congress had to override a veto to secure even that.

With the 1920s roaring by then, the young veterans tucked away their certificates and went about their lives. Buckles became a purser on merchant ships, traveling the globe.

Then the Depression hit, and their generation's legacy took on another aspect, one of activism that helped propel a reshaping of the nation's social landscape.

Thousands of ruined veterans were left with nothing of value but the promise of eventual bonuses. In 1932, while Buckles was at sea, a ragtag army of ex-servicemen descended on Washington with their wives and kids to lobby for early redemption of the certificates, and a disaster ensued that would long reverberate.

This is the part I had no idea about, and I think it is important to recall it, to remember it:

Living for weeks in a sprawling shantytown on mud flats in the Anacostia and in tents and hovels near the U.S. Capitol, the dirt poor ''Bonus Army,'' numbering more than 20,000, defied orders to disperse. So the White House unleashed the military.

Infantrymen, saber-wielding cavalry troops and a half-dozen tanks swept along the avenues below the Capitol, routing the veterans and their families in a melee of blood and tear gas. Then soldiers cleared out the Anacostia shacks and set them ablaze.

Two veterans died, and hundreds were injured. Four years later, after a Florida hurricane killed 259 destitute veterans at a makeshift federal work camp, political support finally tipped for the bonuses, and the generation that fought World War I finally got a substantial benefit.

''I think mine was $800,'' Buckles said of his bonus, equal of $12,000 today. He said he gave it to his father, an Oklahoma Dust Bowl farmer barely hanging on.

The Bonus Army debacle weighed on Congress and the Roosevelt administration during World War II. With 16 million Americans in uniform—more than three times the World War I total—policymakers feared massive unrest if the new veterans got the same shabby treatment that Buckles' generation had received.

The result, in 1944, was the GI Bill, widely viewed as the most far-reaching social program in U.S. history.

I underscore that to say widely viewed as the most far-reaching social program in world history.

It made college and homeownership possible for the great wave of returning World War II veterans, when such opportunities were considered luxuries, and spurred a vast, decades-long expansion of America's middle class.

Unfortunately for the veterans of Buckles's era, the bill wasn't retroactive.

Tuesday's hours-long viewing in the amphitheater chapel was a consolation. Buckles's family and members of West Virginia's congressional delegation had wanted him to lie in honor in the Capitol Rotunda.

They wanted him to lie in honor here, but it was not to be permissible.

So the people of Arlington came to say goodbye.

The article continues:

A generation's end.

When Murial Sue Kerr met Buckles—

This was his wife—

in the 1970s, she was a secretary at the Alexandria headquarters of Veterans of World War I of the USA, which had a large office staff at the time, scores of chapters across the country and a quarter-million members out of 750,000 surviving veterans of the war.

''The commander,'' Kerr calls Buckles, who got that title in 2008 when the only other living member, a Florida man, passed away.

The group was formed in 1948 after millions of World War II veterans swelled the ranks of the American Legion and similar organizations.

It goes on to quote Kerr:

''The World War II guys had business loans, home loans, education, all kinds of things,'' she said. ''My World War I guys? Nothing. So they said, 'Okay . . . we'll go start our own bunch.' ''

Which included Buckles, who had been captured by the Japanese while working in Manila at the outbreak of hostilities in the Pacific. Although he spent World War II in an enemy prison camp, he was a civilian, so the GI Bill didn't extend to him.

In 1974, when Kerr was hired, most of the men were retirees.

She said:

''Every year they'd come to Washington, bus loads of them, and testify before Congress,'' she recalled. They wanted money for eyeglasses, hearing aids, dentures. ''And a little pension,'' she said. ''Good ol' H.R. 1918—it was a bill they were always putting in to give them $50 a month. But, of course, it never, ever passed.''

Just lot of memoirs now—the lobbying, the quarterly magazine, the big annual conventions in Hot Springs and Daytona Beach. Time ran out for all but the heartiest of the Veterans of World War I of the USA, and they died fast. By 1993, when the office shut for good, Kerr, then in her 40s, was the only staff member left.

And occasionally she got phone calls from some of the few remaining members, whose frail voices broke her heart.

''The typical sad things you'll hear from the elderly,'' she said. ''I had one of my guys, he was absolutely in tears. He was from Nevada, and his new nurse wouldn't cut the crust off of his sandwich.''

They were buried with honors Tuesday as scores of somber onlookers crowded the hillside, a distant generation borne to the grave with the last old veteran, who was cared for lovingly by his family to the end.

In the waning afternoon, the soldiers of the burial detail strode in formation up the avenue from the grand marble amphitheater to Section 34 of the cemetery, escorting the horse-drawn caisson with Buckles's metal coffin, the procession slow and deliberate, like the march of time.

After the prayer and the echoes of the bugle and the rifles had faded, the Army's vice chief of staff, Gen. Peter W. Chiarelli, knelt before Buckles's daughter, seated by the grave, and handed her a tri-folded American flag. He whispered words of comfort, then stood and walked away.

No more doughboys now.

So long. Rest in peace.

Madam President, I thought this was an article worth entering into the RECORD. I am pleased I had the time today, before Senators came to the floor, to actually read it into the RECORD so that we could pause to remember this week the burial of the last veteran of World War I and what an obligation we have to our veterans today and the kind of determination that we must continue to foster to honor them for the sacrifices they make, whether it was this generation, which we in large measure failed to do, the veterans of World War II, the veterans of Vietnam and Korea, of course, Desert Storm, our veterans from Iraq and from Afghanistan who are currently fighting those battles. It helps us to remember that the important work we do here—the bills passing, particularly bills that provide these kinds of fair and equitable benefits—is most certainly something the Federal Government must continue to keep as one of its highest priorities.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Arkansas.

AMENDMENT NO. 229

Mr. PRYOR. Madam President, I am sorry for the delay, but we wanted to make sure we had our i's dotted and our t's crossed.

Madam President, I ask unanimous consent to call up and make pending the Pryor amendment numbered 229, the Patriot Express loan program.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mr. PRYOR] proposes an amendment numbered 229.

Mr. PRYOR. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns, and for other purposes)

On page 116, after line 24, add the following:

SEC. 504. PATRIOT EXPRESS LOAN PROGRAM.

(a) PROGRAM.—

(1) IN GENERAL.—Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended by adding at the end the following:

''(G) PATRIOT EXPRESS LOAN PROGRAM.—

''(i) DEFINITION.—In this subparagraph, the term 'eligible member of the military community'—

''(I) means—

''(aa) a veteran, including a service-disabled veteran;

''(bb) a member of the Armed Forces on active duty who is eligible to participate in the Transition Assistance Program;

''(cc) a member of a reserve component of the Armed Forces;

''(dd) the spouse of an individual described in item (aa), (bb), or (cc) who is alive;

''(ee) the widowed spouse of a deceased veteran, member of the Armed Forces, or member of a reserve component of the Armed Forces who died because of a service-connected (as defined in section 101(16) of title 38, United States Code) disability; and

''(ff) the widowed spouse of a deceased member of the Armed Forces or member of a reserve component of the Armed Forces relating to whom the Department of Defense may provide for the recovery, care, and disposition of the remains of the individual under paragraph (1) or (2) of section 1481(a) of title 10, United States Code; and

''(II) does not include an individual who was discharged or released from the active military, naval, or air service under dishonorable conditions.

''(ii) LOAN GUARANTEES.—The Administrator shall establish a Patriot Express Loan Program, under which the Administrator may guarantee loans under this paragraph made by express lenders to eligible members of the military community.

''(iii) LOAN TERMS.—

''(I) IN GENERAL.—Except as provided in this clause, a loan under this subparagraph shall be made on the same terms as other loans under the Express Loan Program.

''(II) USE OF FUNDS.—A loan guaranteed under this subparagraph may be used for any business purpose, including start-up or expansion costs, purchasing equipment, working capital, purchasing inventory, or purchasing business-occupied real estate.

''(III) MAXIMUM AMOUNT.—The Administrator may guarantee a loan under this subparagraph of not more than $1,000,000.

''(IV) GUARANTEE RATE.—The guarantee rate for a loan under this subparagraph shall be the greater of—

''(aa) the rate otherwise applicable under paragraph (2)(A);

''(bb) 85 percent for a loan of not more than $500,000; and

''(cc) 80 percent for a loan of more than $500,000.''.

(2) GAO REPORT.—

(A) DEFINITION.—In this paragraph, the term ''programs'' means—

(i) the Patriot Express Loan Program under section 7(a)(31)(G) of the Small Business Act, as added by paragraph (1); and

(ii) the increased veteran participation pilot program under section 7(a)(33) of the Small Business Act, as in effect on the day before the date of enactment of this Act.

(B) REPORT REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the programs.

(C) CONTENTS.—The report submitted under subparagraph (B) shall include—

(i) the number of loans made under the programs;

(ii) a description of the impact of the programs on members of the military community eligible to participate in the programs;

(iii) an evaluation of the efficacy of the programs;

(iv) an evaluation of the actual or potential fraud and abuse under the programs; and

(v) recommendations for improving the Patriot Express Loan Program under section 7(a)(31)(G) of the Small Business Act, as added by paragraph (1).

(b) FEE REDUCTION.—Section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''With respect to'' and inserting ''Except as provided in subparagraph (C), with respect to''; and

(2) by adding at the end the following:

''(C) MILITARY COMMUNITY.—For an eligible member of the military community (as defined in paragraph (31)(G)(i)), the fee for a loan guaranteed under this subsection, except for a loan guaranteed under subparagraph (G) of paragraph (31), shall be equal to 75 percent of the fee otherwise applicable to the loan under subparagraph (A).''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(A) by striking paragraph (33); and

(B) by redesignating paragraphs (34) and (35) as paragraphs (33) and (34), respectively.

(2) SMALL BUSINESS JOBS ACT OF 2010.—Section 1133(b) of the Small Business Jobs Act of 2010 (Public Law 111–240; 124 Stat. 2515) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) by striking paragraph (33), as redesignated by section 504(c) of the SBIR/STTR Reauthorization Act of 2011; and

''(2) by redesignating paragraph (34), as redesignated by section 504(c) of the SBIR/STTR Reauthorization Act of 2011, as paragraph (33).''.

(d) REDUCTION OF GOVERNMENT PRINTING COSTS.—

(1) STRATEGY AND GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code—

(A) to develop a strategy to reduce Government printing costs during the 10-year period beginning on September 1, 2011; and

(B) to issue Government-wide guidelines for printing that implements the strategy developed under subparagraph (A).

(2) CONSIDERATIONS.—

(A) IN GENERAL.—In developing the strategy under paragraph (1)(A), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for—

(i) duplex and color printing;

(ii) the use of digital file systems by Executive departments and independent establishments; and

(iii) determine which Government publications might be made available on Government Web sites instead of being printed.

(B) ESSENTIAL PRINTED DOCUMENTS.—The Director of the Office of Management and Budget shall ensure that printed versions of documents that the Director determines are essential to individuals entitled to or enrolled for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or enrolled for benefits under part B of such title, individuals who receive old-age survivors' or disability insurance payments under title II of such Act (42 U.S.C. 401 et seq.), and other individuals with limited ability to use or access the Internet have access to printed versions of documents that the Director are available after the issuance of the guidelines under paragraph (1)(B).

Mr. PRYOR. Madam President, I wish to thank Senator LANDRIEU and Senator SNOWE for their efforts to get this bill to the floor, to handle these

amendments, and to show the leadership we need to try to really focus on and emphasize small business.

I am convinced that if we are going to get the full economic recovery we all want to see, the private sector—and especially small business—is going to have to drive that recovery. That brings me to the amendment that I have filed today and that I have called up.

In 2007, there were roughly 25,000 veteran-owned small businesses in my State. So you can do the math on that. There are probably 2 million around the country or more—maybe 3 million veteran-owned small businesses around the country.

In 2007, the SBA created the Patriot Express Pilot Loan Initiative for members of the military community. That is part of the 7(a) program. My amendment would move that Patriot Express loan program from a pilot program to a fully authorized one, and this would ensure that veterans and members of the military community continue to have the ability to access capital when starting a new business or even when operating an existing one.

The Patriot Express pilot program has been a very successful program, issuing close to 7,000 loans valued at $560 million and increasing veteran participation in the SBA programs. The amendment would make the Patriot Express loan program available to all members of the military community, including Active and non-Active members, veterans, spouses and children, widows and widowers of servicemembers. It would increase the maximum loan amount from $500,000 to $1 million. It would guarantee rates would be 85 percent for loans of $500,000 or less and 80 percent for loans over $500,000 up to $1 million. It would also reduce the fees imposed by the SBA for all veterans to 75 percent of the fees otherwise applicable under the 7(a) and express programs.

This is a way we can really help our men and women in uniform. And one of the reasons I think this particular pilot program has been a success is because obviously these folks are hardworking, they are disciplined, they are well trained, and they are serious because of what they have been through for our country. But also one of the reasons I think this is compelling is that they have given years of their lives to military service. If they are in the Reserve or National Guard, these can be very disruptive years. It is hard for them to get anything going and in some cases hard to maintain a job over a period of years because they are being deployed, they are back and forth doing the training and fulfilling the requirements the country has required of them. So it is a very disruptive time during what otherwise would be potentially strong earning years where they could be really building their businesses.

So this pilot program has been very effective and successful in providing access to capital, speeding the process along for our men and women in uniform, and we want to encourage small business ownership, we want to encourage that innovation, and I think this is a great way to do it. Again, this is a program that has been on the books, has proven to be successful, and we certainly hope we can move it from a pilot program to a fully authorized program.

With that, Madam President, I yield the floor.

Ms. LANDRIEU. Madam President, I really appreciate the Senator coming to the floor, and I thank him for his help in advancing this bill and supporting many of the proposals.

The ranking member is not on the floor, so until we run this through the other side for review, I am not sure we will be able to support it. But we are looking at it now, and I thank the Senator for offering it.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, we are currently, it is my understanding, on my amendment No. 183 to S. 493, is that correct?

The PRESIDING OFFICER. That is not the pending amendment at this time.

AMENDMENT NO. 183

Mr. INHOFE. I ask unanimous consent to set the pending amendment aside for the purpose of considering amendment No. 183.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Madam President, I notice we did not have any speakers here so I thought I would come down. We do have a bill in consideration right now, in process for a vote. It is my understanding there will be a vote on amendment No. 183 in the next perhaps hour or so, maybe in a few minutes.

Let me give a little background on what happened on this, where we are today. Back in the early 1990s we had the Kyoto treaty that was up for consideration. That was during the Clinton administration. The Kyoto treaty was one we looked at and studied here in this Senate. One of the concerns about it was it was assuming we have catastrophic global warming that was due to manmade gases, anthropogenic gases—methane. That assumption everybody thought probably was right, because everybody said it was—until such time as we thought what the cost would be if at that time we would have ratified the Kyoto treaty and lived by its emissions restrictions. The cost would be somewhere between $300 and $400 billion. That actually came from the Wharton School.

We looked at that and thought we better look at that pretty closely. Over some debate we decided, if this treaty came back—which President Clinton signed but had to come to the Senate for ratification—if it came to the Senate for ratification we would not ratify any treaty that had either one of two things—No. 1, would be devastating to our economy and, No. 2, it would not treat developing countries the same as developed countries.

As it turned out, it did both. It is one that only affected the developed countries and, of course, with the reports we had on the cost, it would be very expensive. But that was back in the 1990s.

Starting around the year 2000 and specifically 2003, this was called to our attention at that time. I say to you, Madam President, I was the chairman of the Environment and Public Works Committee that had jurisdiction. We looked at this and evaluated the science that was behind it as well as we could. The science on which this is predicated came from the United Nations. Actually, in 1988 the IPCC, the International Panel on Climate Change, was formed. This came in the United Nations and the science behind it was pretty much confined to recommendations from the IPCC.

We started getting phone calls from well-respected scientists all over the country and these scientists would say to us that the IPCC is a closed society. They would not let anyone in to offer their judgment unless they agreed that in fact anthropogenic gases were causing catastrophic global warming.

These scientists started piling up until, I believe it was around 2003, we had a couple of hundred of them. I remember standing at this podium and talking on the floor about all the scientists who disagreed with the science of the IPCC. At that time I made a statement that became quite an irritant to a lot of people when I said: The notion that we are having catastrophic global warming due to anthropogenic gases could be the greatest hoax ever perpetrated on the American people.

I remember going to one of the meetings. Every year the United Nations throws a big party. We just had our 15th, I would add. Everyone remembers a year ago it was Copenhagen. This year it was Cancun. Back then, in 2003, it happened to be in Milan, Italy. I was kind of detested by everyone there because everyone else there was saying we have to do something about this catastrophe that was about to hit us.

As the years went by we had bills. We had the bill in 2003, the bill in 2005, the bill in 2007, in 2009, the last one was the Markey-Waxman—Waxman-Markey bill. Each time those who were behind this, seeking to pass some kind of cap-and-trade bill, were fewer every time we voted. The last count there were a total of 30 Members of the Senate who would say they would vote for the last cap-and-trade bill.

The interesting thing about the bill coming up now is that they were unable to pass it legislatively, which is what we should be doing. We should be

handling this through legislation. We tried. We considered it and it went through the process and it failed. Now they are trying to do it through regulations. It has been speculated that the cost to the American people would be even greater if done through the Environmental Protection Agency than if it were done legislatively.

It was not long ago we had a hearing. I have a great deal of respect for President Obama's Director of the Environmental Protection Agency, Lisa Jackson. She testified before our committee live on TV, and I asked the question. I said if we were to pass this—it might have been the Waxman-Markey bill—it doesn't matter, they are all the same. Cap-and-trade is cap-and-trade—it would have cost between $300 and $400 billion if we ratified Kyoto and the same would be true of any of the five or six cap-and-trade bills we have defeated since then.

But I said let's say we pass this and have it signed into law. Would this reduce CO_2 emissions? That is the whole idea. CO_2 emissions were supposed to be causing all this. I was very proud of her, because it took a lot of courage to give the response she did. She said in response: No, it wouldn't, because it would only affect the United States of America.

Then I would take it one step further. What would happen if we have cap-and-trade—whether it is by legislation or by regulation, it doesn't matter—what they are going to do is regulate everything that is out there in our society. As I say, the cost would be between $300 and $400 billion.

What I do, since I am not as smart as the rest of them around here, when I hear the billions and trillions of dollars, I try to see what does this cost my people in Oklahoma. I did the math, and in Oklahoma, if we take the total number of people who have filed tax returns, and divide it into the amount of taxes this would cost, it would be about $3,100 per family in my State of Oklahoma.

What do you get if you get it? You get something even the EPA Director said is not going to lower worldwide CO_2 emissions, so you don't get anything for it.

The big vote coming up in a few minutes is on a bill I have introduced, and we have now introduced this as an amendment to this small business bill, that would say to the EPA: You no longer have jurisdiction—which they should not have, and I questioned that they have it in the first place—over the regulation of CO_2.

There is a lot of talk about the Clean Air Act. I was a very strong supporter of the Clean Air Act. Several people who take a different position from me on the vote that is coming up talk about the Clean Air Act and all the wonderful things it has done—and I agree. It has. So I feel strongly about it. We have cleaner air now than we have had in a long period of time. The thing is, it was designed to take care of six known pollutants. CO_2 was not one, it was not a pollutant. The Court said you do not have to count it as a pollutant but if you want to you can do it. So it was optional to the Environmental Protection Agency and to the government of our country.

They elected to do that. In order to do that they have to have an endangerment finding. An endangerment finding is something that says CO_2 is an endangerment to public health. When the same administrator, Administrator Jackson, was before our committee—and this was right before Copenhagen; this would have been a year ago last December—I can remember making a statement to her, again in the same public meeting: Madam Administrator, I have a feeling when I leave for Copenhagen tomorrow you are going to have an endangerment finding.

I could see a few smiles. I said: If that happens, it has to be based on some science, doesn't it?

She said yes, it does.

What science do you base it on?

Well, primarily the IPCC.

Primarily—this was right before all the Climategate stuff came out, where they saw that they were falsifying science. All the things we found during the mid-1990s about scientists coming in, they were correct after all and they had been cooking the science on this thing. So that is another problem we have that we are faced with.

The way to solve the problem, and I think many of my Democratic friends—many of them said they agree this should be a matter of the legislature and not a matter of the EPA making these decisions. This morning I quoted some of them. I have it right here.

Senator BAUCUS, a Democratic Senator, said:

> I mentioned I do not want the EPA writing these regulations. I think it is too much power in the hands of one single agency, but rather climate change should be a matter essentially left to Congress.

I agree with that and it was left to Congress. We considered five or six bills on this.

Senator BEN NELSON, another Democrat from Nebraska, said:

> Controlling the levels of carbon emissions is the job of Congress. We don't need EPA looking over Congress' shoulder telling us we are not moving fast enough.

I agree with him. In addition to that, we have eight other Democratic Senators who said essentially the same thing, so I think that is pretty well understood.

One reason I wanted to mention this before the vote takes place, my wife thinks the greatest problem facing America is the price of gas at the pump. My wife is not the only wife around here believing that, I know. She was saying for a long period of time, what causes these things? And it is very easy.

Even my grandkids understand supply and demand. That is taught in elementary schools nowadays. So supply and demand is at work here. We have supply in the United States of America. We have—and I am going to show you in just a minute—in fact, I will go ahead and do that now because I want everyone who votes on this to understand anyone, Democrat or Republican, who votes against my amendment is voting to increase dramatically the price of gas at the pumps.

The next time we hear someone say we have—this is something you keep hearing, that we have just 3 percent of the oil in this country. I think that is interesting because they say 3 percent of the proven reserves. Well, proven reserves cannot take place until such time as you drill to prove it.

We have Members of the majority, along with the White House, the majority of the Members of the Senate have disallowed us to go out and drill. So if you cannot drill—something like 83 percent of our public lands where we could be drilling for oil, we cannot do it because they will not let us do it. So if they will not let us do it, then there cannot be proven reserves.

But they do have recoverable reserves. Our recoverable reserves right now in America are 135 billion barrels. All we have to do, in order to do that, is go out and take advantage of that and use these recoverable reserves.

With the CRS report that came out—the CRS is something that is recognized as an impartial, bipartisan or nonpartisan study group. They study these things. They said that, as of 1 year ago, the United States of America—now this is very important because the United States of America has the largest recoverable reserves in coal, gas, and oil of any of the nations. There they are right there. These are the reserves of coal—this is all three, isn't it? Fossil fuels. Yes, coal, gas, and oil. There it is. This is the United States of America.

If you add this up, we have more than Saudi Arabia, China, Canada, and Iraq combined. That is what we have. But the problem is, politically, they will not let us drill for it.

I know—and I regret to say this because I was just challenged, but it was true because I was there—21 years ago we had the Exxon Valdez. It was a disaster. It took place up in Prince William Sound. Most people here remember that now. It was an accident where you had a deficient ship that had leaked in that beautiful, pristine water up there.

I went up there. Quite frankly, there are a bunch of the far left who were celebrating that it happened. Why would they celebrate a disaster such as that? They celebrated because they said: We are going to parlay this into stopping oil production on ANWR or on the North Slopes of Alaska.

Well, that is kind of interesting that they are going to parlay that into that. I said: How do you figure that? Because Prince William Sound, the Exxon Valdez, that was a transportation accident. That hit something causing it to break.

Then, I said: If you do away with drilling in America, that means we are going to have to transport it in from foreign countries, and the likelihood of it happening again is far greater. Nonetheless, they said: We are going to use that.

I hate to say this also, but when we had our spill in the gulf not too long ago, a lot of people were saying: Aha, now we are going to stop all drilling, deepwater drilling in the Gulf.

We have tremendous reserves down there in the gulf. While the moratorium was lifted, the administration has only issued one deepwater drilling permit since that happened.

What I am saying is, we have all these reserves out there, and we can do it. I am talking about gas and oil and coal. It is not just the oil and gas, but we have another opportunity out there.

We have talked about oil. We have talked about gas. In oil, if we would just export our own resources, that is what we know is there, the reserves that we have in oil and in gas, it would run this country, in oil and gas, for 90 years. That is our own stuff. That is not from Saudi Arabia. It is not from the Middle East. It is not even from Mexico. That is our stuff.

The same is true with the coal reserves. There is the United States, 28 percent of all the coal reserves. Right now, 50 percent of the power generated in the United States is generated with coal-fired generation, and they are trying to do away with that. So that is a target.

But again, we have these tremendous reserves in the United States—let's not forget—so we can run this country for 100 years on just what we have, except the politicians will not let us go in and recover our own reserves.

Let's not forget about oil shale. Right now oil shale is something—yes, there are several pilot projects to prove the shale's commercial viability. The Green River Formation, located in Colorado, Wyoming, and Utah, contains the equivalent of 6 trillion barrels of oil. Let me say that again, 6 trillion barrels of oil. The Department of Energy estimates that of the 6 trillion, approximately 1.38 trillion barrels are potentially recoverable. That is the equivalent of more than five times the oil reserves in Saudi Arabia.

When I made this statement about having all these reserves, more than any other country, I was not counting shale because that is not quite here yet—almost but not quite. Another domestic energy source that could lessen our dependence is methane hydrates. I think everybody knows that. But I did not count that either.

So all these things that we could have counted are not there. But the point is this: We have enough reserves to take care of all the problems we have in this country for the years to come. I look at—some people will come in, and they are well-meaning people, they will say: Well, we have to go to green energy. I am for green energy.

But if you have something that is under development, and it might be 1 year, it might be 20 years or 30 years before it comes, you have to continue to run this machine called America in the meantime. What do we know works and what is available? It is oil, gas, and coal.

Just for a minute, I am going to deviate over there to what has happened in Japan. We just came from a hearing. I am very proud that not just our administration, the President and the Secretary of Energy, but also the Nuclear Regulatory Commission has said that should not affect what we are doing right now. We currently have 12 applications pending. Two of them are pending for almost immediate consideration for nuclear reactors, so that we will get into nuclear. Right now, we only develop about 20 percent of our energy from nuclear. France, for example, does 80 percent. So that is something that is out there.

I would say, in my opinion, as one Member of the Senate, in order to stop, not reduce but stop, our dependance upon the Middle East altogether, all we have to do is keep working on all of the above. I want wind, I want solar, and all that. But I also want those things that are developed and available today—coal, gas, and oil.

You may wonder what I am getting around to with these charts. It is the fact that we have a—everyone admits that the goal of this administration—I am looking for it right now—is to get prices so high, oil and gas so high that we will have to be dependent upon other things.

President Obama said, not long ago: Under this cap and trade—we are talking about it could either be legislative or it could be regulations—''electricity prices would necessarily skyrocket.'' Notice he said, ''necessarily skyrocket.'' His administrator, or the Secretary of Energy, to give you an idea of what is behind this, the high price of gas at the pumps, said—now this is Steven Chu, Secretary of Energy for the Obama administration. He said: ''Somehow we have to figure out a way to boost the price of gasoline to the levels in Europe.''

Let me repeat that. ''Somehow we have to figure out a way to boost the price of gasoline to the levels in Europe.''

What are the levels in Europe? The United Kingdom, $7.87 per gallon; Italy, $7.54; France, $7.50; Germany, $7.41. That is the motivation out there to do this. I think we have many others whom we could quote from the administration, but I do not want this to turn into something that gives the appearance that we are just criticizing the administration.

The fact is, we have to do something about developing our own resources. If we do that, we are going to be able to bring down the price—do two things. First of all, for our national security, quit worrying about depending upon the Middle East for our oil. We can stop that just by developing our own resources. Secondly, go right back to elementary supply and demand. If we can supply the oil and gas and coal, then we will lower the price and lower it dramatically.

Everybody knows that. That is why this vote that is coming up is so important. Because the vote is not just to try to keep us from having between a $300 and $400 billion tax increase on the American people that will not accomplish anything. Remember what I said the Administrator of the EPA said—not only that we would stop that kind of a tax increase but also that we can stop the rise of gas at the pump.

So if somebody votes against this amendment, all it does is say that the—which many Democrats, all Republicans and many Democrats agree—we are going to find out how many—the Congress should be the one to address these issues, not the Environmental Protection Agency. So that is what the amendment is all about. Anyone who is going to be voting against the amendment is saying we do not want to develop our own resources. That is one of the most serious problems we are dealing with right now.

We have other problems that have to do with the EPA right now with all the regulations. They have this minimum achievable technology on emissions, on other things such as boilers and other things that would end up increasing the cost to do business. Ultimately, it is the consumer who pays. I actually have a quote I cannot seem to find right now, since I am not using notes, that says we do have the technology to do all these things. Yet we are going to allow this to happen, even though it is not necessary. So we have a big vote coming up. That vote is: Do you think the EPA should regulate the emissions of CO_2 in America or do you think Congress should do it?

If you think the EPA should do it, get ready for a tax increase, because I can assure you, the President is just waiting to sign something that will allow them to continue down the road of overregulating. There is a cost to regulation. I think we all know that. It is one that is huge.

If you look at the regulations we have, I have already mentioned the $300 to $400 billion and how that relates to everybody in my State of Oklahoma who files a tax return. The boiler regulation that is coming out right now—the same EPA—that would affect 800,000 jobs in America. The utility MACT—that is something the Director of the EPA just had a news conference on today. The minimum achievable reduction in utilities would cost about $100 billion. The ozone and the PM would be about $90 billion.

As I say, we would be talking about a pretty big jobs bill but only on this. I wish to make sure everyone understands. My very good friend, JOHN BARRASSO, a Senator from Wyoming, has a bill that is going to go a lot further than this. I am a strong supporter

of his legislation. It will go into the—keeping the EPA from using CO_2 to change the Clean Air Act, the Clean Water Act, the Endangered Species Act. That is very good. That is not what this is.

I heard something this morning that I want to make sure to clarify because it is important because there are all kinds of things out there people are saying will happen if we pass this amendment.

They are saying that is going to somehow affect—in fact, they said I respectfully asked the members of the committee to keep in mind that EPA's implementation of the Clean Air Act saves millions of American adults and children from debilitating and expensive illnesses that occur when smokestacks and tailpipes release unrestricted amounts of pollution. Yes, I agree with that. But let's keep in mind, I was a strong supporter when the Clean Air Act came out and when the amendments came out.

It was designed for the six criteria pollutants at the heart of the Clean Air Act: lead, ozone, nitrogen oxide, sulphur dioxide, carbon monoxide, and particulate matter. These are real pollutants, not imaginary pollutants such as CO_2. But that is what was targeted by the Clean Air Act.

Of course, it has nothing to do with anything else. So those things are still going to be restricted. We have had some people say—and I have heard this several times today—this amendment would block the administration's announced plan to follow up with the Clean Air Act standards for cars and light trucks. This is not at all true. That is all done by the National Highway Traffic Safety Administration. That is not within the jurisdiction of the EPA. That is NHTSA, they call it.

It has nothing do with mileage on cars, nothing do with the whole effort to increase mileage.

EPA is contributing practically nothing to the administration's global warming car deal—about 4 percent of the joint EPA-NHTSA program's emissions reductions. Dropping EPA would, therefore, have a meaningless effect on oil consumption. According to the EPA, its greenhouse gas car standards would mean that ''global mean temperature'' is reduced by ''0.006 to 0.0015 [Celsius] by 2100.''

That is not even measurable. Don't let anyone use the argument that this has anything to do with CAFE standards. It doesn't affect anything that is harmful for people to breathe.

The amendment will be coming up soon. We are going to find out who wants to keep us from developing our own resources. It should be a very interesting vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Madam President, the amendment from the Senator from Kentucky seeks to reduce discretionary spending by $200 billion. The actual amendment would cut in excess of $155 billion from domestic discretionary spending programs and the balance from security-related programs. While I am sure the Senator is serious in his desire to cut spending, I would point out to my colleagues that for the remaining 6 months of this fiscal year, with the passage of the next short-term continuing resolution, the Federal Government will have less than $200 billion in fiscal year 11 funds remaining for domestic discretionary spending.

My colleagues need to be advised that the CR that has passed the House will set a ceiling on domestic discretionary funding for the whole year at $400 billion. Since we are half way through the fiscal year, we have already allocated approximately half of these resources. Moreover, during the first 6 months of the fiscal year the government was funded at a higher rate, approximately $405 billion. Therefore, we only have approximately $195 billion remaining for the balance of the year to spend on all discretionary domestic programs. While there are examples where unobligated balances remain in some agencies, in general it is fair to say the Senator's amendment would cut this year's remaining domestic spending by 80 percent.

The amendment stipulates that the Consumer Product Safety Commission, the National Endowments for the Arts and Humanities, the Corporation for Public Broadcasting are all abolished. If this wasn't bad enough, the amendment would also cut more funding from the Department of Education than they have remaining for the balance of the fiscal year. It would cut more than remains available for the Department of Housing and Urban Development and from the Office of Personnel Management.

Some domestic agencies would have sufficient resources to survive this cut, but none without dire consequences.

A cut of 35 percent to the EPA would seriously curtail funding for sewer and drinking water infrastructure, while leaving the agency with little funding to pay its personnel for the balance of the fiscal year.

For the Department of the Interior, the Paul amendment would almost certainly necessitate the closure of our national parks and Indian schools.

On security funding, the bill would slash the State Department's budget 75 percent below last year's level, effectively eliminating funding for most State Department functions worldwide with devastating consequences for ongoing operations in Iraq, Afghanistan, and Pakistan.

The $30 billion cut to the Department of Defense would likely delay or terminate procurement programs supported by the Congress as the Department uses its authority to target cuts away from readiness and personnel programs toward investment programs.

The Energy Department's nuclear weapons program would be cut by $2.5 billion. This would put the safety, security and reliability of our nuclear weapons at risk.

The only thing that many agencies would be able to do if they were faced with cuts of this magnitude would be to plan their shut down operations.

Not a single Member of this Chamber can responsibly vote for this amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 216

Mr. CASEY. Madam President, I rise to speak about an amendment I have offered and we will be voting on in a little while. It is amendment No. 216, and it is a basic, very simple amendment, but it will rectify or remedy a problem we have in our contracting.

We have all kinds of businesses across the country that are part of the contracting process. But often when we have prime contractors who will have the opportunity to bid on Federal work, they will list subcontractors in their application. In some cases those subcontractors happen to be minority-owned firms and women-owned firms, known, of course, by the acronyms MBE and WBE. So the prime contractors will list them to make their applications more competitive, without informing—this is where the problem comes in—without informing the subcontractor.

This amendment does two basic things, and it is an amendment all of about 13 lines when we get to the heart of it. Basically, what it requires in these instances is that the prime contractor notify the subcontractor. That is part one. Part two is, in these instances where there may be an allegation of fraud or other problems the subcontractor wants to report, the Administrator, in this case, will establish a reporting mechanism that allows that subcontractor to report fraudulent activity by the contractor.

So two very basic elements: a notification provision, so if you are a firm that is listed on paperwork a prime contractor files, you be notified of that—that is No. 1—and, in addition to the notification of the subcontractor, that the Administrator set up a program, a method where you can report fraudulent activity by the contractor.

It is that simple. At a time when we are trying to create jobs and support small businesses across the Commonwealth of Pennsylvania and across the country, I think it is a very basic change that needs to be made.

So I commend the work Chairman LANDRIEU has done on this bill and her leadership but in particular her support for this amendment.

I yield to Senator LANDRIEU.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I appreciate the Senator from Pennsylvania being so supportive and so helpful. I think this is an amendment we can support. I am hoping to get clarification to actually go to a vote on this amendment sometime in the next 20 minutes or so. We do not have that cleared at this point, but we are hoping to be able to vote on this amendment.

I would like to ask the Presiding Officer, though, to read the pending amendments just by number and name because I think we have seven or eight pending amendments. Could the Presiding Officer clarify what amendments are currently pending?

The PRESIDING OFFICER. The pending amendments are No. 183, a McConnell amendment; No. 178, a Vitter amendment; No. 161, an Inhofe for Johanns amendment; No. 216, a Landrieu for Casey amendment; No. 186, a Cornyn amendment; No. 199, a Paul amendment; No. 207, a Sanders amendment; No. 197, a Hutchison amendment; No. 184, a Coburn amendment; and, finally, No. 229, a Pryor amendment.

Ms. LANDRIEU. Thank you, Mr. President. That is what our records show.

I appreciate all these Members being very patient. We have their amendments pending. We are going to try to line up votes for them, hopefully, sometime either later tonight or tomorrow.

We also have a few other Members who have said they would like to have their amendments considered. I would simply ask if they can come down to the floor. Tonight would be a good time because we have had a very good, open, encompassing debate on a variety of different issues. Of course, the underlying bill before us is the reauthorization of the SBIR and STTR Programs that have been operating on a very short term with very ineffectual authorizations that do not allow these programs to have the benefit for taxpayers they deserve. So we have struggled now for 6 years, three Congresses. It is time to get this done.

So while we have many, many amendments that have been filed, I am happy to report that there are probably just a few more Members who want to actually come and speak on their amendments. Some have said: We will take up our amendments on a later day. Many of the Members who have filed five and six amendments have said: I am only going to go with one, Senator LANDRIEU and Senator SNOWE.

We are very grateful for everyone's cooperation.

So, hopefully, we can vote on the Casey amendment tonight, and then have a queue of other amendments potentially in this order or some revision of this order. But all those pending will be, of course, provided an opportunity for a vote. We do have some outstanding questions about one of the Coburn amendments we have not cleared on either side.

So I am hoping we can have that vote tonight, and we will know something in a few minutes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 216

Ms. LANDRIEU. Mr. President, I ask unanimous consent that we resume consideration of the Casey amendment No. 216; that there be 2 minutes equally divided before we proceed to a vote in relation to the amendment; that there be no amendments in order to the Casey amendment prior to the vote; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate, and that the vote occur at 5:25.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, as we are waiting for Senator CASEY, I don't think there is any opposition to this amendment. I see the ranking member on the floor and I am wondering if she has anything she wishes to add at this point.

I said earlier Members have been very cooperative in trying to minimize—still have an open debate but nevertheless minimize—the issues and the amendments so we can pass this important bill and get it over to the House and onto the President's desk.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I thank the Chair as well. I wish to speak to the amendment offered by the Senator from Pennsylvania. I think it is a critical amendment for the contracting process. As the Chair well understands, because I know the Chair has called many meetings on contracts and processes, and over the years we have attempted to rectify and mitigate many of the problems that have arisen during the course of a contract to make sure there is access for small business within the Federal agencies, I have heard, as I know the Chair has as well, from countless small businesses who feel abused by large prime contractors. During the procurement process when preparing for government bids, oftentimes large prime contractors do not fulfill their obligations to use small businesses as outlined in the subcontracting plan. They identify the small businesses in their own plan that they submit to the government, they win the contract, and then they turn around and don't use the small businesses they have identified in their bid they have submitted to the Federal Government. So I wish to congratulate the Senator from Pennsylvania for identifying an important way to make sure small businesses are not left out of this process, because they are required—once they have been identified in an open, large prime contractor's plan, they are required to use that small business. But, unfortunately, if a small business is not notified that the large prime contractor has won that bid from the Federal agency, they have no way of pursuing a process by which they make sure they are part of that overall bid.

I think it is very important that small businesses have access to the procurement process, and when large contractors are including small businesses, we have to make sure they notify the small businesses about their intent to use them in the bid process, and to make sure they are aware that they have won the contract as well. This becomes paramount because small businesses then have the opportunity to contract with Federal agencies because the Federal Government is the largest purchaser of goods and services in the world, spending more than $500 billion in fiscal year 2000 alone. For small firms that are struggling to stay afloat and maintain their workforce, Federal contracting can be an instrumental part of the larger strategy for broadening their customer base in creating jobs. So it is a commonsense amendment that protects small businesses from abuses during the Federal procurement process.

Also, I think the reporting mechanism that is created by the Senator's amendment will allow small businesses to report fraudulent activity with respect to subcontracting plans. These small business protections will benefit small contracting firms without adding an undue burden to the government's acquisition workforce. I think it is an amendment that is not only practical but critical in making sure small business has fair access and opportunities for procurement within the Federal agencies, and more to curb the abuses that have occurred with large prime contractors that either disguise themselves as small businesses and go through the contracting process or use small businesses in their bid but never notify the small businesses of their intent to use them and, therefore, small businesses have no opportunity to pursue the legal process, due process to make sure they can report these abuses.

I urge support of the Casey amendment.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I already spoke earlier on the amendment—actually, twice today, so I won't reiterate those points. I wish to thank and commend the work done by Senator LANDRIEU and Senator SNOWE and the way they have worked together in a bipartisan manner to move this bill forward but in particular to help us pass

this amendment. We are looking forward to the vote, and I want to thank them for their help.

I yield the floor.

Ms. LANDRIEU. Mr. President, how much time remains before the vote?

The PRESIDING OFFICER. There are 45 seconds remaining.

Ms. LANDRIEU. Let me use the 45 seconds to ask unanimous consent to be listed as a cosponsor of the Casey amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. I wish to join Senator SNOWE in supporting this amendment. We have received actually many complaints from small businesses at any number of the roundtables we have held in our committee about the old bait and switch that is going on, where their names are used by large contractors to actually succeed in receiving the bid or winning the bid, and then, as Senator SNOWE stated, their companies are switched out and they don't even know it. This also puts an enforcement mechanism in place and actually mandates the SBA to come up with an enforcement mechanism so we can have more honesty and transparency.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 216.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 43 Leg.]

YEAS—99

Akaka	Feinstein	Merkley
Alexander	Franken	Mikulski
Ayotte	Gillibrand	Moran
Barrasso	Graham	Murkowski
Baucus	Grassley	Murray
Begich	Hagan	Nelson (NE)
Bennet	Harkin	Nelson (FL)
Bingaman	Hatch	Paul
Blumenthal	Hoeven	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kerry	Schumer
Carper	Kirk	Sessions
Casey	Klobuchar	Shaheen
Chambliss	Kohl	Shelby
Coats	Kyl	Snowe
Coburn	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Leahy	Thune
Conrad	Lee	Toomey
Coons	Levin	Udall (CO)
Corker	Lieberman	Udall (NM)
Cornyn	Lugar	Vitter
Crapo	Manchin	Warner
DeMint	McCain	Webb
Durbin	McCaskill	Whitehouse
Ensign	McConnell	Wicker
Enzi	Menendez	Wyden

NOT VOTING—1

Rockefeller

The amendment (No. 216) was agreed to.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AGRICULTURE WEEK

Mr. BAUCUS. Mr. President, I rise today to highlight the importance of agriculture and celebrate National Agriculture Week.

President Dwight D. Eisenhower once said:

> Farming looks mighty easy when your plow is a pencil and you're a thousand miles away from a cornfield.

This week reminds us that it is our job to bridge the gap between plowing fields and crafting laws and make sure our ranchers and farmers have the tools they need.

In my home State of Montana, agriculture is the heart and soul of our economy. It is an essential part of who we are. In Montana, agriculture is not simply a livelihood, it is our way of life. Growing up on a ranch outside of Helena taught me firsthand the values of hard work, faith, family, and doing what is right—values I try to bring with me to work every day.

Fifty percent of Montana's economy is tied to ranching and farming, and one in five Montana jobs is tied in some way to agriculture. It is our No. 1 industry. Each year, Montana ranchers and farmers produce nearly $3 billion of the highest quality agricultural goods produced anywhere in the world.

As a nation, we are blessed with a safe, affordable, and abundant food supply. Our farmers and ranchers in our country put food on the tables of families around the world, and they help create good-paying jobs here at home. Every year, the average American farmer feeds 155 people worldwide.

While agriculture stands in the spotlight this week, it is critical to remember the words of President Eisenhower and recognize the needs of our ranchers and farmers every day throughout the year.

Next week, I will be holding a series of listening sessions across Montana to discuss the next farm bill. I did that last time around and they were terrific. I learned so much by having these listening sessions all across our State. I will be starting Monday in the eastern part of Montana—in towns such as Forsyth and Miles City—and over the next year I will work my way across the State collecting ideas and information from Montana's farmers and ranchers to make sure the next farm bill works for them.

I am lucky to represent so many ranchers and farmers in our State who have dedicated their life to the land. It is so important, and it roots us in our State. It grounds us. I am proud to honor these folks today during National Agriculture Week.

Mr. LEAHY. Mr. President, I am pleased that the Senate is proceeding to consider legislation to reauthorize the Small Business Innovation Research Program and Small Business Technology Transfer Program, SBIR/STTR. Our Nation's small businesses and start-ups are crucial to maintaining America's position as the world leader in technology and innovation. The SBIR/STTR programs improve the ability of small businesses to take part in federally funded research.

Last week, the Senate voted 95–5 to pass another bill to help small businesses and our economic recovery, the America Invents Act. This legislation will provide our small businesses and start-ups the legal landscape that they need to protect and commercialize their inventions to create jobs and boost our economy.

The Small Business and Entrepreneurship Council, in strongly endorsing the America Invents Act, wrote that ''[p]atent reform is needed to clarify and simplify the system; to properly protect legitimate patents; and to reduce costs in the system, including when it comes to litigation and the international marketplace.''

Similarly, Louis Foreman, an inventor and advocate for other independent inventors wrote that the legislation ''will make independent inventors, such as myself, more competitive in today's global marketplace.''

Both the council and Mr. Foreman specifically noted the importance of transitioning to ''first-inventor-to-file'' and ending fee diversion at the U.S. Patent and Trademark Office.

The America Invents Act will benefit small businesses and start-ups in several specific ways. First, the legislation will make it more difficult for large infringers to harass a patent owner through successive administrative challenges of the patent or challenges that have no likelihood of success. Large corporations often use these challenges to avoid license fees or discourage an infringement suit. For small businesses, patent owners and independent inventors, the expense of countering these tactics can make enforcement of their patents difficult to impossible. The improvements that this legislation makes to the inter partes system will limit harassment.

Second, the America Invents Act requires discounts for small businesses at the Patent and Trademark Office, PTO. Specifically, the bill mandates that the PTO provide a 50-percent reduction in fees for small business, and a 75-percent reduction in fees for businesses that receive a new ''micro-entity'' designation as truly small and independent inventors. Together, these provisions ensure that the PTO's need to collect fees for services is not done on the backs of small businesses. Small businesses will, therefore, be able to afford patent protection better than today.

Third, as part of the transition to first-inventor-to-file, the America Invents Act eliminates costly interference proceedings as the method for determining the right to a patent between competing inventors in favor of a derivation proceeding. Under current law, before enactment of the American Invents Act, when more than one application claiming the same invention is filed, the patent is given to the applicant who has the resources to prove their claim to the invention. This costly proceeding is almost always won by larger corporations. A derivation proceeding is far simpler and does not require meticulous notes by the inventor, which gives large corporations an advantage, because the key date is the date of application.

Finally, the legislation will improve patent quality overall. Roughly half of all patents in litigation have claims invalidated. When there are too many patents out there that are not able to withstand court scrutiny, it leads to a more difficult climate for small businesses to license their inventions and raise capital from investors. By improving our patent system, we can provide confidence that when a patent is granted, it is of high quality, and investors can rely on that.

The New York Times editorialized last week that today, ''The patent system is too cumbersome, and it doesn't protect the small inventor. The America Invents Act is a smart reform.'' Indeed, the legislation is crucial to fulfilling the promise that we make to small businesses and independent inventors that if they put in the hard work, the United States is the place where a great invention will be rewarded. I thank the 95 Senators who voted in favor of Senate passage of the America Invents Act and look forward to continuing our work with Chairman SMITH the House of Representatives to get the legislation to the President's desk without unnecessary delay. We tried to make sure that patent reform in the America Invents Act helps small businesses and increases their ability to serve as an engine for economic growth and good jobs here in America.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Ms. LANDRIEU. Mr. President, I ask unanimous consent to proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, it is my understanding that we are in morning business.

The PRESIDING OFFICER. The Senator is correct.

DEBIT CARD SWIPE FEES

Mr. DURBIN. This week, we are considering legislation on the Senate floor that affects small businesses. I want to talk about another issue very important to small businesses; that is, the topic of interchange fees, also known as swipe fees.

Last week, nearly 200 small businesses came to Washington, DC, from Illinois and from all across America. They came to stand up in support of the reform of interchange fees, swipe fees, that Congress passed last year. They came to stand up to the major credit card companies, Visa and MasterCard, and the $13 trillion banking industry that is doing everything in its power to reverse this reform.

We all know small businesses are the key to our economy and its future. We need for them to be able to grow, to hire more workers, and serve their customers well. But debit card swipe fees set by Visa and MasterCard on behalf of their big bank allies are crushing many small businesses.

Back in 2009, the banks made over $16 billion per year in debit swipe fees, about $1.3 billion per month. Now, $16 billion may not sound like a lot of money when you compare it to the $20.8 billion that the New York State comptroller said was paid out in Wall Street bonuses to major financial institutions just last year, but it is a huge amount when it affects small business.

For most Americans on Main Street, $16 billion in swipe fees is quite a lot. This money comes out of the pockets of small business owners across America and out of the pockets of their customers, who pay higher prices for gas and groceries as a result.

According to data from the Federal Reserve and the Nilson Report, over half of all debit interchange fees—more than $8 billion per year—goes to just 10 giant banks.

What it boils down to is this: Some who are pushing for a delay in this reform are literally offering a handout of $16 billion mainly to the biggest banks in America.

The swipe fee system does not have transparency and has no competition. The bottom line is that the current debit card system in this country is a broken market. Ask any retailer, large or small, hotel owner, restaurant owner, convenience store owner, gas station, ask them what bargaining power they have when it comes to the amount they are charged for the use of a debit card, and the answer is, none. Ask them how much is being paid in each transaction. And the answer is, it is secret. Now, is that how you would build an economy, with no competition and no transparency? That is exactly what is going on with the duopoly of Visa and MasterCard imposing these fees on small businesses.

The banks and card companies are sending an army of lobbyists to Congress to undo the reform Congress passed last year. There are hundreds of bankers swarming over Capitol Hill this week. Several Members who have never supported an interchange reform in the first place have introduced legislation to delay that reform that we passed. I am sorry to say that this plays right into the banking industry's effort to avoid accountability.

I want my colleagues to know that small businesses are going to tell their side of the story too.

Todd McCracken is the president of the National Small Business Association. He came to Capitol Hill last week, and this is what he said:

> Small businesses aren't trying to do away with credit and debit cards, we just want them to play by the rules. Small businesses have been at the mercy of these large banks for years, and the swipe fee reforms merely inject fairness and transparency into a market that has been dictated by a handful of companies for years.

Hundreds of small businesses also submitted formal comments to the Federal Reserve in support of reform. Those comments are posted on the Federal Reserve's Web site. I would like to read a few of those from my home State of Illinois.

Nolan Williamson runs a flower shop. It is called Jerry's Flower Shoppe in Carbondale, IL. Carbondale, IL, in southern Illinois, is the home of Southern Illinois University. Here is what Nolan wrote to the Federal Reserve:

> In 1964, Jerry's Flower Shoppe opened, and for 35 years I have been a partner in the business. We are located in a university town, and our business depends greatly on the university. Since the university budget is down and they are not spending, our business is suffering.
>
> We have streamlined our business as much as possible. We were forced to lay off one employee for a while, then brought her back at reduced pay and reduced hours. As a retail business, we have no choice but to accept credit and debit cards. We had to increase prices to cover the high interchange card fees. Even with a price increase, these high card fees are eating away our profits.

Nolan concluded by saying:

> Help our struggling business and other small businesses around the country. Reduce our swipe fees to 12 cents as proposed.

He alludes to the fact that when the Federal Reserve took a look at the actual interchange fee being charged for the use of a debit card, they estimated the average to be over 40 cents per transaction, which is more than 1.1 percent of the value of each transaction. The actual cost? Less than 10 cents. So what the credit and debit

card companies are doing is imposing a fee that there is no bargaining over, no competition, no disclosure, and forcing retailers to pay it. Jerry's Flower Shoppe does not have a fighting chance against Visa and MasterCard. They have to pay it or else. That is, of course, transferred to a cost to customers and reduced profit to the owners.

Here is another comment from Bob Stork. He owns Stork's Catering in Springfield. I know Bob. Here is what he says:

> My business has been in operation for about 35 years. We are just a small enterprise with five employees. The economic situation has taken a toll not only on my business, but also on companies all across the country. Personally, I believe that swipe fees are hindering these struggling businesses even further. If these fees keep rising, they will eventually place such a strain on us that we may be forced to close our doors. Please continue your efforts to regulate the debit swipe fees.

Here is a comment from Norman Flynn. He has a business, Culligan Water Conditioning, in Macomb, had it for over 70 years in his family. He said:

> We really cannot afford to keep getting hit with unnecessary fees. Please seek to get the proposed rule implemented quickly so that debit swipe fees will be lowered and small businesses will get some breathing room.

I hope my colleagues understand that these small businesses need relief right now. They need to understand that delaying swipe fee reform, which a bill just introduced this week would do, would give Visa and MasterCard and the banks a multibillion-dollar handout and would leave small businesses and consumers footing the bill.

We have heard a lot about the bailout of Wall Street. This is the handout to Wall Street. To think that they would turn around and give to these companies $32 billion in handouts, most of it going to the largest banks in America, by delaying this rule at the expense of small businesses and consumers all across America.

As the big banks and card companies make their pitch, I hope my colleagues will make their choice to stand with Main Street instead of Wall Street. I hope they choose to stand on the side of hard-working small business owners. Most Americans understand—and I sure do—that good jobs are created by small businesses all over this country. We have to be on their side in this struggle and not on the side of the biggest banks and Wall Street.

I wish to respond to another argument that was raised recently against interchange reform. Banks such as JPMorgan Chase have started threatening that interchange reform will force them to limit debit card transactions to $100 per transaction. This threat is so hollow, I am amazed they are saying it publicly. It is a threat that defies basic logic. Remember, it does not cost a bank any more to conduct a $100 debit transaction than it does a $1 transaction. In both cases, the cardholder must already have the money in his account. The costs to transfer that money through the network's wires are the same no matter the dollar amount. The only logical reason why banks such as Chase would make this threat is to scare opposition to interchange reform.

Once reform takes effect, big banks such as Chase would be crazy to follow through on this threat of imposing dollar limits on debit transactions. If they did, consumers will start moving in droves to small banks which are not regulated by this bill and will not impose unnecessary restrictions.

Chase also has no business to argue that they have to limit large-dollar debit transactions because they are afraid about fraud. Remember, this is the same Chase bank that last April told all of its debit card holders not to use PIN numbers even though PIN has one-sixth as much fraud loss as signature debit cards. Chase did this because Visa and MasterCard give higher interchange fees for signature debit than for PIN debit. Chase is the poster child for banks that have brought increased fraud risks upon themselves by not using PIN numbers.

I also want to respond to my colleagues who tell me they are hearing from banks and card companies that consumers might be hurt by interchange reform. First of all, these banks and card companies have no credibility when it comes to speaking on behalf of consumers. They say interchange reform will force them to raise fees on consumers, but they will not even admit that they were already raising consumer fees to record levels before interchange change reform passed.

Glance back at headlines like these: November 12, 2008, Wall Street Journal, ''Banks Boost Customer Fees to Record Highs.'' May 28, 2009, USA TODAY, ''Banks Find Ways to Boost Fees; Checking Accounts Latest Target.''

Banks and card companies also refuse to concede that consumers already bear the cost of interchange fees in the form of higher retail prices. That is particularly hard on the unbanked and low-income Americans.

Instead of listening to banks and card companies about consumer interests, I suggest my colleagues listen to those consumer groups in Washington.

Just this week, the Consumer Federation of America sent a letter to all Senators. Here is what it said:

> The current interchange system is uncompetitive, non-transparent, and harmful to consumers. It is simply unjust to require less affluent Americans who do not participate in or benefit from the payment card or banking system to pay for excessive debit interchange fees that are passed through to the cost of goods and services. As a result, the Consumer Federation of America does not support delaying implementation of the new law.

Other groups, such as U.S. Public Interest Research Group, Public Citizen, and the Hispanic Institute, have argued strongly that interchange reform will help consumers across America, just as it has helped consumers in many other countries that have undertaken reform.

Do you know what the interchange fee is in Canada? It is zero. The same companies that are offering debit cards here in the United States do not charge an interchange fee in Canada. And they have just recently reduced the interchange fees dramatically in Europe, much lower than the United States. Same companies.

How can they do that? They did it because the governments of Europe stepped up and said: This is a ripoff. You can no longer impose, unilaterally, interchange fees, and we are going to regulate it.

They said: Please do not. We will just drop the fees dramatically.

And they did.

Look what is happening here. We have a group of Senators and Congressmen who are now saying: We are not only refusing to assert the rights of consumers, we are going to back off and let the banks and card companies charge whatever they want for at least 2 more years. Whatever happened to our sensitivity to the people we are supposed to represent—the consumers and the small businesses? That, to me, is a troubling outcome, if, in fact, those who push this legislation continue to do so.

We all know the game plan that Visa, MasterCard, and the $13 trillion banking industry is using.

We have seen it before. They will try to kill interchange reform outright using threats and scare tactics. If they can't kill it, they will try to delay it, praying that the next President and the next Congress will be even friendlier to the banking industry.

Exactly the same thing happened when Congress passed the Credit Card Act in 2009. The banks and card companies fell all over themselves trying to raise fees before the rules went into effect. When I would go home to Springfield, my wife would say to me: Guess what, here is another notice from the credit card company raising the interest rate you have to pay on late charges. I thought you passed credit card reform.

I said: It doesn't take effect for a few more months. They are running as fast as they can to run up the fees in the meantime.

That is what is happening to businesses with the interchange fees. A lot of people don't know it because they don't get a notice in the mail about the interchange fee. That has been their game plan in the past, and it is their game plan again.

I am sick of the big banks and card companies squeezing American consumers and small businesses with tricks and traps and unfair fees. I will stand with the small businesses and consumers of America on this issue. I will fight the big banks and the big credit cards and their efforts to kill or delay swipe fee reform.

I urge my colleagues to join me in standing up for Main Street and

against the abusive fees and practices of Wall Street.

JAPAN TRAGEDY

Mrs. BOXER. Mr. President, I rise today to offer my deepest condolences to the people of Japan, and to reaffirm that the United States stands ready to assist the country and its people in this time of tremendous need.

On Friday, March 11, the world watched in horror as a devastating 9.0-magnitude earthquake struck off the northeastern coast of Japan, triggering a devastating tsunami that sent a 30-foot high wall of water hurtling into coastal towns and leaving complete destruction in its wake.

As a Senator from California, which has far too often experienced the devastation of earthquakes, I was horrified by the magnitude of this event.

In a stunning development, scientists are now saying that the quake caused the island of Japan to shift by 8 feet and the Earth's axis to move by 4 inches.

In Japanese cities such as Sendai and Minami Sanriku, entire communities and countless lives vanished in an instant. In Minami Sanriku alone, 10,000 members of a population of 17,000 remain unaccounted for.

The force of the tsunami generated by the quake was so great that waves traveled across the Pacific Ocean at more than 500 miles per hour, slamming into Hawaii and cities along the California and Oregon coasts.

Today, we know that an estimated 4,277 lives have been confirmed lost—a figure that will undoubtedly rise—and that hundreds of thousands have been displaced. In this time of extraordinary grief, our thoughts and prayers go out to those who have lost loved ones and to those whose family and friends remain missing.

What we also know is that without Japan's strict building codes and well-developed early warning systems, this terrible tragedy would have been much worse.

I praise the work of all the first responders who are working around the clock in Japan. Tens of thousands of Japanese rescue workers have been joined by teams from around the world, including from the United States and China.

I know that this includes a search and rescue team from Los Angeles County.

The team, which left for Japan on Saturday, is made up of 74 rescue personnel including firefighters and paramedics as well as six teams of search dogs who are trained to look for survivors trapped in debris left by the earthquake and tsunami.

There are also approximately 600 servicemembers from Naval Air Station Lemoore in California aboard the U.S.S. Ronald Reagan aircraft carrier, who are assisting relief efforts off the Japanese coast.

Our deepest gratitude goes out to all of those who are working tirelessly to save lives and bring comfort to communities in need.

We also know that the earthquake and tsunami have caused tremendous difficulty at a number of nuclear energy facilities within Japan.

The damage and subsequent failure of systems at these nuclear reactors are a clear warning that we must step up efforts to ensure that every precaution is taken to safeguard all of our people from a similar nuclear disaster.

Special and immediate attention should be given to those nuclear reactors that share similar conditions as the failing reactors in Japan—those located near a coastline or fault line, or those with a similar design.

We must all reexamine our assumptions about what constitutes a credible threat to those reactors and ensure we learn the lessons shown to us by the recent events in Japan.

As chairman of the Environment and Public Works Committee, which has jurisdiction over domestic nuclear regulatory activities, I will ensure that our members have full briefings on all of these issues, and I will hold a hearing on the safety of the Nation's nuclear facilities and what lessons can be learned from the dangerous situation at the failing reactors in Japan. I am also calling on the NRC to conduct a comprehensive investigation of these issues, with a focus on areas that are especially vulnerable to seismic activity like California.

I would also like to spend a few moments talking about the approximately 300,000 Japanese-Americans who call California home.

I am particularly proud that the Japanese American community in my State has quickly stepped up to assist with relief efforts in the aftermath of this horrible tragedy. This includes the Japan America Society of Southern California—a nonprofit organization founded in 1909 to build relationships between the United States and Japan. This also includes the nonprofit Japanese Cultural and Community Center of Northern California. These are just a couple of examples of how Californians are pulling together to help the thousands who have been devastated by the earthquake and tsunami.

I thank all those in California, and those across the country and the world, who have responded to this tragedy with an outpouring of support for the people of Japan.

I would also like to take just a brief moment to thank the Federal, State, and local officials in Hawaii, California and along the west coast for their quick response in warning residents of the tsunami threat and assisting those communities affected by severe waves.

Coastal areas in northern California, particularly Crescent City and Santa Cruz, were impacted by these waves, resulting in damages to port and harbor infrastructure. I am pleased that federal officials arrived in California Monday and are working with State and local officials to assess the situation.

And finally, I thank Senators REID, MCCONNELL, KERRY, and LUGAR for drafting a resolution on the tragedy which passed the Senate Monday evening. I am proud to be a cosponsor.

The resolution expresses the Senate's deepest condolences to all of those affected by this tragedy, including the families of the victims. It also urges the U.S. Government and the international community to provide any additional assistance the Japanese government may need as it moves toward healing, rebuilding, and recovery.

Experts tell us that events of this magnitude are rare—in fact, this was the largest recorded earthquake in Japan's history.

While we hope and pray that we never see such a horrific event again, this tragedy serves as a stark reminder of nature's extraordinary power and how precious and fragile life is.

Let us also use this as an opportunity to redouble our commitment here in America to do the hard work of preparing for the unthinkable.

HONORING OUR ARMED FORCES

CORPORAL LOREN M. BUFFALO

Mr. BOOZMAN. Mr. President, I rise to honor the life of one of America's bravest killed in action in Afghanistan—CPL Loren M. Buffalo—a fallen hero who served our Nation in support of Operation Enduring Freedom.

Corporal Buffalo, 20, of Mountain Pine, AR, was by all accounts, driven by a call to serve his country and strong sense of civic duty.

The son of an Arkansas National Guardsman and the grandson of a World War II veteran, Corporal Buffalo joined the Army in 2009, just after graduating from Mountain Pine High School. His father, Cecil Buffalo, told The Sentinel-Record, that he knew his son wanted to serve his country all the way back in junior high. Mr. Buffalo said his son was a ''strong-hearted all-American boy'' who ''loved his country and wanted to serve it.''

In Mountain Pine, Corporal Buffalo is remembered as a young man who would make the best out of any situation. One of his mentors said that Corporal Buffalo ''was 100 percent about community.'' During his teenage years, Corporal Buffalo undertook a number of projects honoring and supporting our Nation's veterans.

Beyond a life of service, Corporal Buffalo enjoyed making music. A multitalented musician, Mr. Buffalo said his son could play the guitar, drums, bass and ''just about anything you put in his hand.''

Corporal Buffalo was assigned to B Troop, 1st Squadron, 75th Cavalry Regiment, 101st Airborne Division based out of Fort Campbell, KY. According to initial reports, he died from injuries sustained when an improvised explosive device detonated near his dismounted patrol in Kandahar. He received multiple medals for service, including a Purple Heart and a Bronze Star.

Corporal Buffalo made the ultimate sacrifice for our freedoms. I ask my colleagues in the Senate to join me in honoring his life and legacy. I ask that we all keep his family, fellow soldiers and friends in our thoughts and prayers during this difficult time. He is a true American hero.

RECOGNIZING POLAND SPRINGS

Ms. COLLINS. Mr. President, in these challenging economic times, it is a pleasure to recognize a business that is growing and creating new jobs as it demonstrates environmental stewardship and community citizenship. The Poland Spring Water Company of Maine is such a business.

The pure, natural spring water found in Maine's Western Mountains has been prized by residents and travelers since the earliest days of our Nation. In 1845, Hiram Ricker began bottling this water and a company was born. By 1904, the water had gained international praise earning medals of excellence at the Columbian Exposition and the World's Fair. The Ricker Inn, which opened a decade later, hosted such illustrious guests as Presidents Cleveland and Taft.

Today, Poland Spring is one of the best-selling bottled spring water brands in North America. Its bottling plants in three Maine communities provide some 800 good-paying, skilled jobs. Its annual payroll of $40 million and $65 million in purchases of goods and services from other Maine companies make it a mainstay of our State's rural economy. Its generous support for schools, fire and rescue, conservation, and many other causes strengthen our communities.

Three years ago, Poland Spring opened its newest plant in the small town of Kingfield with 40 workers. This year, employment stands at 70 and the Kingfield operation was recently named ''The Best Plant in North America'' by Poland Springs' parent company, Nestle Waters. That is an outstanding record of growth and accomplishment in such a short time, but it doesn't surprise me to see a Maine facility achieve this distinction.

Poland Spring does not just bottle water—it is a diligent guardian of Maine's precious groundwater resources. The company's extensive monitoring efforts to protect water quality and the local watershed set a standard for the industry worldwide. From its ultra-light plastic bottle and energy-efficient building design to its operation of the largest biodiesel trucking fleet in Maine, Poland Spring's commitment to the environment is seen at every step of the process.

I congratulate the Poland Spring Water Company for more than 160 years of contributions to the State of Maine and the Kingfield facility for its recognition as the best in North America.

ADDITIONAL STATEMENTS

TRIBUTE TO KATIE HURLEY

• Mr. BEGICH. Mr. President, today I recognize a great Alaskan as she celebrates her 90th birthday at the end of this month. Katie Hurley was born and raised in Juneau, AK, and embodies so much of what makes Alaska great. She is a living history of the State of Alaska.

Katie was there at the very beginning of the push for Alaska Statehood, serving Governor Ernest Gruening in Alaska's territorial days. Katie served as chief clerk to the Alaska Constitutional Convention in Fairbanks during the very cold winter of 1955–1956. With a manual typewriter and mimeograph machine, she had minutes and amendments ready every morning for the delegates. It is Katie's voice you can hear in the audio recordings of the final roll call vote of the Constitutional Convention.

Katie's public service to Alaska transcends every level of government. Governor Bill Egan appointed Katie to the State Board of Education where she served for 7 years. She served to the term limit under Governor Egan but was reappointed by Governor Jay Hammond. She has been elected to the Alaska State Legislature and the Matanuska Telephone and Matanuska Electric association boards. She embodies completely what it means to be a public servant and community member.

It is appropriate Katie's birthday falls during Women's History Month. Katie is a role model for so many Alaskan women. She was the first woman in Alaska to win her party's nomination for statewide office. Katie was the first executive director of the Alaska Commission on the Status of Women and was appointed by Governor Steve Cowper to the Human Rights Commission in 1987, serving twice as chair.

She is still active in the Alaska chapter of the National Organization of Women. In the past, she would grab her knitting—baby blankets for her grandchildren—to attend legislative hearings on women's reproductive health rights. She has been a tenacious advocate for title IX funding and education equity. Katie is a breast cancer survivor of 21 years and still participates in the annual Alaska Run for Women to raise money for breast cancer research. Last year—at age 89—she finished the 5-mile course with her team.

Anyone who knows Katie understands she is never one to slow down. Her enthusiasm is infectious, and she still spends time imparting Alaska's history to young Alaskans and reminding all Alaskans of the common goals we shared at statehood and the spirit in which our State constitution was drafted.

I ask my colleagues to join me in honoring Katie and her decades of service to Alaska on her 90th birthday.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following joint resolution was read the second time, and placed on the calendar:

H.J. Res. 48. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

Jonathan Andrew Hatfield, of Virginia, to be Inspector General, Corporation for National and Community Service.

*Kelvin K. Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

By Mr. LIEBERMAN for the Committee on Homeland Security and Governmental Affairs.

Heather A. Higginbottom, of the District of Columbia, to be Deputy Director of the Office of Management and Budget.

*Carolyn N. Lerner, of Maryland, to be Special Counsel, Office of Special Counsel, for the term of five years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE (for himself, Mr. MENENDEZ, Mr. SANDERS, Mr. SCHUMER, Mr. ROCKEFELLER, Mr. DURBIN, Mr. FRANKEN, Mr. LEAHY, and Mrs. SHAHEEN):

S. 592. A bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself, Mr. BURR, Ms. STABENOW, Mr. ISAKSON, Mr. LEVIN, Mr. CHAMBLISS, Mr. BEGICH, Ms. MURKOWSKI, Mrs. GILLIBRAND, Mr. INOUYE, Mrs. HAGAN, and Ms. SNOWE):

S. 593. A bill to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations; to the Committee on Finance.

By Mr. WHITEHOUSE:

S. 594. A bill to amend the Oil Pollution Act of 1990 to facilitate the ability of persons affected by oil spills to seek judicial redress; to the Committee on Environment and Public Works.

By Mrs. MURRAY (for herself and Mr. THUNE):

S. 595. A bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. CORNYN):

S. 596. A bill to establish a grant program to benefit victims of sex trafficking, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 597. A bill to amend title XVIII of the Social Security Act to include neurologists as primary care physicians for purposes of incentive payments for primary care services under the Medicare program; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. GILLIBRAND, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. INOUYE, Mr. KERRY, Mr. LAUTENBERG, Mrs. MURRAY, Mr. MERKLEY, Mr. SCHUMER, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 598. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

By Mr. WEBB (for himself and Ms. LANDRIEU):

S. 599. A bill to establish a commission to commemorate the sesquicentennial of the American Civil War; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. NELSON of Florida, Mr. WHITEHOUSE, Mr. DURBIN, Mr. FRANKEN, and Mr. MERKLEY):

S. 600. A bill to promote the diligent development of Federal oil and gas leases, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 601. A bill to encourage and ensure the use of safe football helmets and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLINS (for herself, Mr. ROBERTS, and Mr. BARRASSO):

S. 602. A bill to require regulatory reform; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida (for himself and Mr. BURR):

S. 603. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. ALEXANDER):

S. Res. 103. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

ADDITIONAL COSPONSORS

S. 206

At the request of Mr. LIEBERMAN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 206, a bill to reauthorize the DC Opportunity Scholarship Program, and for other purposes.

S. 328

At the request of Mr. BROWN of Ohio, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 328, a bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to fundamentally undervalued currency of any foreign country.

S. 358

At the request of Mr. ROBERTS, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 358, a bill to codify and modify regulatory requirements of Federal agencies.

S. 382

At the request of Mr. UDALL of Colorado, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 382, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits.

S. 398

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 409

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 409, a bill to ban the sale of certain synthetic drugs.

S. 412

At the request of Mr. LEVIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 418

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 453

At the request of Mr. BROWN of Ohio, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 453, a bill to improve the safety of motorcoaches, and for other purposes.

S. 461

At the request of Mr. LAUTENBERG, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend financing of the Superfund.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of, dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 520

At the request of Mr. COBURN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 534

At the request of Mr. KERRY, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Louisiana (Mr. VITTER), the Senator from Maine (Ms. COLLINS) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 541

At the request of Mr. BENNET, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 541, a bill to amend the Elementary and Secondary Education Act of 1965 to allow State educational agencies, local educational agencies, and schools to increase implementation of schoolwide positive behavioral interventions and supports and early intervening services in order to improve student academic achievement, reduce disciplinary problems in schools, and to improve coordination with similar activities and services provided under the Individuals with Disabilities Education Act.

S. 554

At the request of Mr. GRAHAM, the names of the Senator from Oklahoma

(Mr. COBURN) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 554, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

S. 570

At the request of Mr. TESTER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 575

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 575, a bill to study the market and appropriate regulatory structure for electronic debit card transactions, and for other purposes.

S. 585

At the request of Mr. NELSON of Nebraska, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 585, a bill to authorize the Secretary of Education to award grants for the support of full-service community schools, and for other purposes.

S. RES. 99

At the request of Mr. DEMINT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 99, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

S. RES. 102

At the request of Mr. MCCAIN, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Missouri (Mr. BLUNT) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 102, a resolution calling for a no-fly zone and the recognition of the Transitional National Council in Libya.

AMENDMENT NO. 161

At the request of Mr. JOHANNS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 161 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 182

At the request of Mr. NELSON of Nebraska, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 182 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 183

At the request of Mr. MCCONNELL, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Utah (Mr. HATCH), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 183 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 183 proposed to S. 493, supra.

AMENDMENT NO. 186

At the request of Mr. CORNYN, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Wyoming (Mr. ENZI), the Senator from South Carolina (Mr. DEMINT), the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. PAUL), the Senator from Nevada (Mr. ENSIGN), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 186 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 194

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 194 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 195

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 195 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 196

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 196 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 197

At the request of Mrs. HUTCHISON, the names of the Senator from North Carolina (Mr. BURR), the Senator from Nevada (Mr. ENSIGN) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 210

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 210 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 215

At the request of Mr. ROCKEFELLER, the names of the Senator from Virginia (Mr. WEBB), the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of amendment No. 215 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of amendment No. 215 intended to be proposed to S. 493, supra.

AMENDMENT NO. 216

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 216 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 216 proposed to S. 493, supra.

AMENDMENT NO. 219

At the request of Mr. COBURN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 219 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 223

At the request of Mr. COBURN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of amendment No. 223 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. CORNYN):

S. 596. A bill to establish a grant program to benefit victims of sex trafficking, and for other purposes; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, I am pleased to join today with my partner, Senator CORNYN, to reintroduce the Domestic Minor Sex Trafficking Deterrence and Victims Support Act. This bi-partisan legislation, which was approved unanimously by the Senate in

the 111th Congress, just a few months ago, as S.2925, is the first comprehensive approach to combating the terrible and fast-growing criminal enterprise of trafficking of children for sex right here in the U.S.

Many people don't have any idea how many children in the U.S. are forced into sexual slavery. It is truly a moral abomination that an estimated 100,000 minors are trafficked for sex in the U.S. each year. The reason that this crime has reached epidemic proportions is simple: the resources are not in place to help innocent victims escape from trafficking, nor to punish the violent, ruthless pimps who are trafficking them.

In talking to law enforcement officials in Oregon, I learned that gang members, pimps, and traffickers have figured out that trafficking a person is a lot less risky, and just as profitable, as trafficking drugs. A pimp can make $200,000 a year on one trafficking victim. And they know they can exploit vulnerable minors and not get caught because law enforcement lacks the training and resources to stop this crime. The Domestic Minor Sex Trafficking Deterrence and Victims Support Act aims to turn that around.

This bill would, for the first time, provide a comprehensive solution for addressing this problem. The bill would establish a pilot project of six block grants in locations in different regions of the country with significant sex trafficking activity. The block grants would be awarded by the Department of Justice to state or local government applicants that have developed a workable, comprehensive plan to combat sex trafficking. The grants would require a multi-disciplinary approach to addressing trafficking problems. Applicants for the grants would have to demonstrate they can work together with local, State, and Federal law enforcement agencies, prosecutors, and social service providers to achieve the goals of the bill.

Government agencies that get the grants would be required to create shelters where trafficking victims would be safe from their pimps, and where they could start getting treatment for the trauma they have suffered. The shelters would provide counseling, legal services, and mental and physical health services, including treatment for substance abuse, sexual abuse, and trauma-informed care. The shelters would also provide food, clothing, and other necessities, as well as education and training to help victims get their lives on track.

The bill would also provide training for law enforcement officers. I worked with some of the pioneering officers out there like Doug Justus in Portland and Byron Fassett in Dallas who really understand this issue. But, unfortunately, what Doug and Byron have told me is that most officers don't have the training to recognize a sex trafficking victim and don't know how to handle those victims in a way that will allow them to feel like they can turn away from their pimp. Without this training—and without shelters—there's no way to begin building criminal cases against the pimps, and no way to get these victims to come to court to testify in criminal trials.

That is why it is going to take a comprehensive plan to finally turn the tables on pimps. Without trained officers and service providers, and available shelters, there is no support and safe place for children who are being trafficked. Right now there are only between 50 and 70 shelter beds in the entire country for minor victims of sex trafficking. That is unacceptable. This bill will change that, and begin to provide hope for trafficking victims.

Another serious aspect of this problem that this bill would address is the issue of repeat runaways. Evidence shows that the children at greatest risk of becoming involved in sex trafficking are kids who have run away from home over and over again. Many of them are children who have been in the foster care system. The problem is that there is often no report made when a child runs away, and thus no way to know when a child is a repeat runaway and at greatest risk.

This bill would strengthen reporting requirements for runaway or missing children, and encourage the FBI to enhance the National Crime Information Center, NCIC, database, which is where missing child reports are filed. Doing so would give law enforcement officers better information on the children at greatest risk by flagging repeat runaways.

Before I conclude, I want to express that this is a very personal issue with very personal consequences. I had a chance to feel this personal heartbreak last year when I accompanied police officers along 82nd Avenue in my hometown of Portland. I will never forget a 15-year-old girl working out there with the tools of the trade. She had a cell phone to stay in constant contact with her pimp and report how much money she had made. She had a 15-inch butcher knife because she knew she needed to protect herself. She had a purse full of condoms, because she knew she couldn't stop until she'd had more customers during the course of the evening.

The fact that there are thousands of young girls like her out on the streets, all across the country, every single day, is nothing short of a national emergency. This bill sends a clear and powerful message to the victims of this abuse, that somebody cares about her health and wellbeing. That is why I hope Congress will act quickly to provide help for young girls like the one I met by passing this bill.

Last year, this legislation passed the Senate by unanimous consent and the House by voice vote. Unfortunately, the bill passed the House shortly before Congress adjourned, and there was no time to resolve the minor differences between the two chambers' bills. But I will do everything I can to see that this bill moves forward promptly so that sex trafficking victims can begin to receive the care they need and deserve.

Finally, I want to acknowledge the efforts of the non-profit and faith-based organizations in working on this issue. There are a lot of deeply committed groups and individuals working to help victims of sex trafficking. Their good work has laid the foundation for our efforts here in the Congress.

I want to acknowledge the National Center for Missing and Exploited Children, the FBI's Innocence Lost Project, Polaris Project, Shared Hope International, ECPAT-USA, Rebecca Project for Human Rights, Soroptimists, and the YWCA; and there are many other fine groups that deserve thanks.

I also want to recognize the work of champions—like Ambassador Luis CdeBaca, filmmaker Libby Spears, and local officials like Multnomah County Commissioner Diane McKeel, who have raised awareness and made it their priority to fight this horrific crime. The effort to save children from sex trafficking would not be possible without the involvement of all of these groups and individuals.

Again, I want to thank Senator CORNYN for his dedication and cooperation in combating sex trafficking. I am also indebted also to the members of the Judiciary Committee who played a constructive role in shaping the bill; and I particularly thank Chairman LEAHY, Senator SESSIONS, Senator DURBIN, Senator FRANKEN, and Senator COBURN for their input and work to move this legislation forward in the last Congress. Finally, I want to acknowledge our House partners, Representatives CAROLYN MALONEY and CHRIS SMITH, who introduced companion legislation last Congress. I look forward to working with them again to quickly move this legislation forward to passage.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. GILLIBRAND, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. INOUYE, Mr. KERRY, Mr. LAUTENBERG, Mrs. MURRAY, Mr. MERKLEY, Mr. SCHUMER, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 598. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am very pleased to introduce today a bill to strike the law commonly known as DOMA, the Defense of Marriage Act.

I want to thank my cosponsors—Senators LEAHY, GILLIBRAND, KERRY, BOXER, COONS, WYDEN, LAUTENBERG, BLUMENTHAL, MERKLEY, DURBIN, FRANKEN, SCHUMER, MURRAY, WHITEHOUSE, SHAHEEN, UDALL of Colorado, INOUYE, and AKAKA for working with me on this important bill.

Today, there are between tens of thousands of legally married same-sex couples in the United States, and more than 18,000 in my State of California alone.

These couples live their lives like all married people. They share financial expenses, they raise children together, and they care for each other in good times and bad, in sickness and in health, until death do they part.

But here is the rub. Right now, because of DOMA, these couples cannot take advantage of federal protections available to every other married couple in this country.

For example, because of DOMA, these couples cannot file joint Federal income taxes and claim certain deductions; receive spousal benefits under Social Security; take unpaid leave under the Family and Medical Leave Act when a loved one falls seriously ill; obtain the protections of the estate tax when one spouse passes and wants to leave his or her possessions to another.

This has a very real impact. Let me tell you, for example, the stories of a married couple in California.

Jeanne Rizzo and Pali Cooper of Tiburon, CA, have been in a committed relationship for more than two decades. In 2008, they were married in California before their family and friends.

They have lived in the same house, shared expenses, and raised their son, Christopher, together. The Defense of Marriage Act, however, means that they cannot enjoy the simple conveniences of filing joint tax returns as a married couple or obtaining continuing health coverage under COBRA.

They have also told me the story of re-entering the United States at the end of their honeymoon in 2008. They approached a customs agent together but were told that they could not go through the line as a family. When they said that they were legally married, a customs agent reportedly responded with a curt phrase to the effect of: ''Not to the United States you're not.''

Put simply, under DOMA, the Federal government does not treat people equally or fairly.

Last year, a Federal District Court declared the law unconstitutional; the Obama Administration has concluded that the law violates fundamental constitutional guarantees of equal protection; and even former President Clinton, who signed the law in 1996, now supports its repeal.

The Respect for Marriage Act would right DOMA's wrong.

It would strike DOMA in its entirety. It would ensure that the Federal protections afforded to a married couple remain stable and predictable no matter where a couple lives, works, or travels.

In my lifetime, I have seen the happiness, stability, and comfort that marriage brings. When two people love each other and decide to enter this solemn commitment, I believe that is a very positive thing.

I urge my colleagues to support the Respect for Marriage Act to repeal DOMA and call on our Federal Government to honor the legal, valid marriages of all Americans.

Mr. LEAHY. Mr. President, today I join the senior Senator from California and others to introduce the Respect for Marriage Act of 2011. This legislation would repeal the Defense of Marriage Act, DOMA, so that same-sex marriages authorized under State law will be recognized by the Federal Government and protected under Federal law. Since the passage of DOMA, several States, including the State of Vermont, have provided the protections of marriage to same-sex couples. Unfortunately, under current Federal law, these families are not treated fairly. That is why today's action is needed.

As Chairman of the Senate Judiciary Committee, I often find myself confronted by those who think the issue of civil rights is merely one for the history books. This is not true. There is still work to be done. The march toward equality must continue until all individuals and all families are both protected and respected. Today, Congress will begin to help bring fairness to all our Nation's families.

The issue of marriage is one that has long been left for the states to determine, and they have. Today, five States, including my home State of Vermont, plus the District of Columbia, have granted same-sex couples the right to get married. With DOMA as law, however, we are creating a tier of second-class families in States that have authorized same-sex marriage. As a Vermonter who has been married for 48 years, I believe it is important that we encourage and sanction committed relationships. That is the best way to provide for stable, supportive families. Vermont has led the Nation in this regard. In 2000, Vermont took a crucial step when it became the first State in the Nation to allow civil unions for same-sex couples. In 2009, Vermont took another important step to help sustain the relationships that fulfill our lives by becoming the first state to adopt same-sex marriage through the legislative process. I am proud of the progressive example set by my constituents, and I do not want any of them harmed by the continuing effect of DOMA.

The time has now come for the Federal Government to recognize that these families deserve all of the legal protections afforded to opposite-sex married couples recognized under state law. The Government Accountability Office issued a report in 2004 that stated that same-sex couples are denied more than one thousand Federal benefits. Right now, couples in states that authorize same-sex marriage laws cannot file joint Federal tax returns and are not entitled to the same Social Security and medical leave benefits as opposite-sex married couples under Federal law. This goes against American values and it must end.

This is a question of basic civil rights, and how the constitutional principles of the Equal Protection and Due Process Clause protect all of us from discrimination. The President and the Attorney General recognized this when they announced that the Department of Justice will no longer defend two court cases that have challenged the constitutionality of the DOMA. I applaud President Obama and Attorney General Holder for making the right decision. However, the administration is still enforcing DOMA elsewhere, because it is the law of the land. It is now time for leaders in Congress to change that law. The Respect for Marriage Act of 2011 would allow same-sex couples who are married under state law to be eligible for Federal benefits. Nothing in this bill would obligate any person, religious organization, state, or locality to celebrate or perform a marriage between two persons of the same sex. Those prerogatives would remain. What would change, however, and what must change, is the Federal Government's treatment of State-sanctioned marriage.

I believe this legislation is overdue, and it is a step in the right direction toward fostering equal treatment under law. I urge my fellow Senators to come together to support this important bill.

By Mr. UDALL of New Mexico (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 601. A bill to encourage and ensure the use of safe football helmets and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. UDALL of New Mexico. Mr. President, football fans today are wondering if there will be a National Football League season this fall. Many fans could find that their Sundays are not the same if team owners and players do not reach an agreement. Business owners who depend on those fans will also be affected. That is an issue that members of Congress have weighed in on already.

But today I want to discuss a more important issue for the future of football. Football is facing a concussion crisis—a brain injury crisis—that affects up to 4.5 million football players who are still too young to play in the NFL but may aspire to make it to the pros some day.

This fall, those kids and young adults will put on their uniforms and pads and take to the gridiron. It is a time-honored tradition that will continue regardless of what happens to the upcoming NFL season. For many rural communities in states like New Mexico, high school football means Friday night lights excitement and civic pride in the school team. This year, about 8,000 New Mexican high school players will continue this American tradition.

But football is a contact sport, and thousands of student athletes are injured every year. Many of those injuries are concussions. In fact, one study

estimates that as many as one in five football players suffers head injuries in any given football season. For young people between 15 and 24 years old, playing sports is the second-leading cause of traumatic brain injury, behind only motor vehicle crashes. Every year, there are up to 3.8 million sports-related concussions, many of which go undiagnosed and unreported.

Those alarming statistics highlight the need for more awareness about sports concussion. That is why it is appropriate to discuss this important public health and children's safety issue today, which is ''Brain Injury Awareness Day.''

Retired NFL great Nick Lowery—the all time leading scorer for the Kansas City Chiefs and one of the greatest kickers to play the game—explained to me:

When I played football in high school, in college, and in the National Football League, suffering a concussion was often shrugged off as merely having your 'bell rung.' My teammates had no shortage of toughness and wanted to build the mentality to 'out tough' our opponents. . . . We now know that multiple concussions can lead to lasting brain damage and should be treated as a serious matter. Today's NFL players want to set a good example for the next generation.

There have been alarming news stories about what has happened to several retired NFL players who were famous for that toughness Lowery described. Long after their careers ended, some of those NFL greats succumbed to chronic traumatic encephalopathy, CTE, caused by repeated head trauma. Last month, retired NFL player Dave Duerson took his own life with a gunshot to the chest. According to news reports, he left instructions to his family that his brain be given to the NFL Brain Bank, presumably to be examined for evidence of CTE.

Yet, what is even more alarming is that researchers have already found CTE in the brain of a deceased 18-year-old high school football player with a history of concussions. Researchers do not yet know how early an athlete might develop CTE.

TBI can also be an ''invisible'' injury. Without the kind of brain injury awareness that families and health care providers are trying to raise today, an athlete who suffers a mild TBI may not link that injury to common symptoms later such as headaches, nausea, and cognitive changes.

One of my constituents, Alexis Ball, is a bright college student and star soccer player at the University of New Mexico. She told my office how she struggled for months with post-concussive symptoms. Concussions forced her to sit out from play and miss classes. Thankfully, she's recovered today and now volunteers to raise concussion awareness among young athletes in Albuquerque.

But there are other cases that are much more unfortunate. The parents of one high school student athlete from Oregon named Max Conradt wrote me to explain how Max, their 17-year-old son, returned to play quarterback too soon after suffering a concussion. Max was wearing a 20-year-old helmet when he suffered another concussion that led to brain damage. Max's parents wrote me to ask, ''How is it possible that our son was issued a helmet three years older than he was?''

Unfortunately, there are an estimated 100,000 helmets out there that are more than a decade old. These helmets will be worn by high school and younger football players this fall. Many coaches will not know that some of their helmets might be older than their players. And one helmet safety expert has stated that even the best new football helmets would need to be four times better—in terms of attenuating direct, linear forces—to protect against concussion.

These facts drive my serious concerns about the current voluntary safety standards for new and reconditioned football helmets, which have not been significantly revised in three decades.

On this Brain Injury Awareness Day 2011, I am pleased to introduce bipartisan legislation, the Children's Sports Athletic Equipment Safety Act, to require improvements to the voluntary football helmet standards, including clearly visible warning and date of manufacture labels, concussion resistance, if feasible, reconditioned helmets and youth helmets.

I am pleased to be joined in this effort by colleagues Senator FRANK LAUTENBERG and Senator BLUMENTHAL. We are joined by Representatives BILL PASCRELL and TODD PLATTS, who lead the Congressional TBI Task Force, and Representative ANTHONY WEINER—all of whom are original sponsors of the companion bill in the House of Representatives.

The Children's Sports Equipment Safety Act takes a ''light touch'' approach to improving safety. This legislation gives industry groups time to put safety first and improve their voluntary helmet standards before any mandatory federal safety rules replace them. But if those improvements are not made, then the Consumer Product Safety Commission must issue product safety rules for football helmets to protect kids.

I want to emphasize that the Children's Sports Athletic Equipment Safety Act isn't just about football helmets. This legislation would also increase the potential penalties for making false injury prevention claims for other types of sports and athletic gear.

Tackling false advertising with more severe penalties may be an increasingly important tool if companies continue to sell new headbands, helmets, and mouth guards with potentially deceptive and misleading safety claims. Young athletes could put themselves at great risk if they think a new ''anti-concussion'' football helmet, soccer headband, or mouth guard makes them invulnerable to brain injury. The costs of such injuries in financial terms alone are staggering. The direct medical costs and indirect costs of traumatic brain injuries totaled an estimated $60 billion in the United States in the year 2000. That figure of course does not account for the pain and suffering of victims and their families.

I am pleased that the Children's Sports Athletic Equipment Safety Act enjoys support from a broad range of organizations and individuals. DeMaurice Smith, the Executive Director of the NFL Players Association, NFLPA, states in a letter that:

Not only is the NFLPA committed to the safety of professional football players, but to all who play the sport. We recognize a significant portion of those players are youth and high school athletes who are currently at risk for traumatic brain injury due to the absence of helmet safety standards. We support the Children's Sports Athletic Equipment Safety Act as introduced and commend you for addressing this issue.

Other supporters include: Brain Injury Association of America; Brain Trauma Foundation; Cleveland Clinic; Consumer Federation of America; Consumers Union; National Consumers League; National Research Center for Women & Families; and Safe Kids USA.

Nick Lowery, who played 18 years as a professional football player and is a member of the Kansas City Chiefs Hall of Fame, notes that:

Improving sports safety for kids and discouraging sports equipment companies from making false injury prevention claims are two straightforward ways to reduce brain injuries. You can count on my enthusiastic support for this important children's safety and consumer protection legislation.

Sports and exercise should be encouraged for everyone—especially children. We must do more to ensure that kids participate in sports and exercise for all the health benefits they bring. While there will always be some risk of injury, we must make sure that athletes, coaches and parents know about the dangers and signs of concussion. We must make sure that they are using safe equipment. And we must take false advertising of safety gear out of the game.

I ask all my colleagues for their support of the Children's Sports Athletic Equipment Safety Act as part of this vital effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 601

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Children's Sports Athletic Equipment Safety Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Participation in sports and athletic activities provides many benefits to children and should be encouraged.

(2) Participation in sports and athletic activities does involve some inevitable risk of injury that no protective gear or safety device can fully eliminate.

(3) Sports-related concussion is a form of traumatic brain injury that can lead to lasting negative health consequences.

(4) Direct medical costs and indirect costs of traumatic brain injuries totaled an estimated $60,000,000,000 in the United States in the year 2000.

(5) Sports are the second leading cause of traumatic brain injury for Americans who are 15 to 24 years old, behind only motor vehicle crashes.

(6) Every year, American athletes suffer up to an estimated 3,800,000 sports-related concussions.

(7) The potential for catastrophic injury resulting from multiple concussions make sports-related concussion a significant concern for young athletes, coaches, and parents.

(8) Football has the highest incidence of concussions, which also occur in many other sports such as baseball, basketball, ice hockey, lacrosse, soccer, and softball.

(9) An estimated 4,500,000 children play football in organized youth and school sports leagues, including approximately 1,500,000 high school players.

(10) According to the Consumer Product Safety Commission, more than 920,000 athletes under the age of 18 were treated in emergency rooms, doctors' offices, and clinics for football-related injuries in the year 2007.

(11) In any given football season, 20 percent of all high school football players sustain brain injuries.

(12) One study that included a post-season survey of football players found that 47 percent experienced at least one concussion and almost 35 percent experienced multiple concussions.

(13) Medical experts at Boston University School of Medicine found that a deceased 18 year old athlete, who had experienced multiple concussions playing high school football, suffered from chronic traumatic encephalopathy, a degenerative brain disease caused by head trauma.

(14) A football helmet's ability to protect players from injury by attenuating acceleration forces can decline over time as the helmet experiences thousands of hits from use during successive football seasons after its original date of manufacture.

(15) According to industry estimates, 100,000 football helmets more than ten years old, and thousands almost twenty years old, were worn by players in the 2009 season.

(16) A high school football player who suffered brain damage from being hit in the head soon after suffering a previous concussion was wearing a twenty year old football helmet when he was injured.

(17) Children as young as 5 years old rely on football helmets to protect against head injury.

(18) The widespread adoption of a voluntary industry standard for football helmet safety led to an 80 percent reduction in life-threatening subdural hematoma injuries.

(19) The voluntary industry safety standard for football helmets does not specifically address concussion risk.

(20) There is no voluntary industry safety standard specifically for youth football helmets worn by children, who have different physiological characteristics from adults in terms of head size and neck strength, especially those who are younger than 12-years old.

(21) Some football helmet manufacturers and resellers have used misleading concussion safety claims to sell children's football helmets.

(22) Some used helmet reconditioners have falsely certified that reconditioned helmets provided to schools and youth football teams met voluntary industry safety standards.

(23) Used helmet reconditioners do not independently test reconditioned helmets before certifying that they meet voluntary industry safety standards.

(24) The industry organization that sets voluntary football helmet safety standards does not conduct independent testing nor market surveillance to ensure compliance with such voluntary safety standards by manufacturers and reconditioners that certify new and used helmets to such standards.

(25) Football helmet manufacturers and reconditioners place product warning labels underneath padding where the warning labels are obscured from view and not clearly legible.

(26) The Consumer Product Safety Act (15 U.S.C. 2051 et seq.) charges the Consumer Product Safety Commission with protecting the public from unreasonable risks of serious injury or death from consumer products, including consumer products used in recreation and in schools.

(27) The Federal Trade Commission Act (15 U.S.C. 41 et seq.) empowers the Federal Trade Commission to prevent unfair or deceptive acts or practices, and prohibits the dissemination of misleading claims for devices or services.

SEC. 3. FOOTBALL HELMET SAFETY STANDARDS.

(a) VOLUNTARY STANDARD DETERMINATION.—Within 9 months after the date of enactment of this Act, the Consumer Product Safety Commission shall determine, with respect to a standard or standards submitted by a voluntary standards-setting organization regarding youth football helmets, reconditioned football helmets, and new football helmet concussion resistance (if feasible) whether—

(1) compliance with the standard or standards is likely to result in the elimination or adequate reduction of the risk of injury in connection with the use of football helmets;

(2) it is likely that there will be substantial compliance with the standard or standards; and

(3) the standard or standards are maintained by a standards-setting organization that meets the requirements of the document 'ANSI Essential Requirements: Due Process Requirements for American National Standards' published in January 2010 by the American National Standards Institute (or any successor document).

(b) CONSUMER PRODUCT SAFETY STANDARD.—Unless the Consumer Product Safety Commission makes an affirmative determination with respect to a standard or standards under subsection (a) that addresses the matters to which the following standards would apply, the Commission shall initiate a rulemaking proceeding for the development of a consumer product safety rule with respect to the following:

(1) YOUTH FOOTBALL HELMETS.—A standard for youth football helmets which is informed by children's different physiological characteristics from adults in terms of head size and neck strength.

(2) RECONDITIONED FOOTBALL HELMETS.—A standard for all reconditioned football helmets.

(3) NEW FOOTBALL HELMET CONCUSSION RESISTANCE.—A standard for all new football helmets that addresses concussion risk, if the Commission determines that such a standard is feasible given current understanding of concussion risk and how helmets can prevent concussion.

(4) FOOTBALL HELMET WARNING LABELS.—A standard for warning labels on all football helmets that, at a minimum, requires clearly legible and fully visible statements warning consumers of the limits of protection afforded by the helmet. This standard may include requirements for pictograms, instructions, guidelines, or other cautions to consumers about injury risk and the proper use of football helmets.

(5) DATE OF MANUFACTURE LABEL FOR NEW FOOTBALL HELMETS.—A standard for a clearly legible and fully visible label on all new football helmets stating the football helmet's original date of manufacture and warning consumers that a football helmet's ability to protect the wearer can decline over time.

(6) DATE OF RECONDITIONING LABEL FOR RECONDITIONED HELMETS.—A standard for a clearly legible and fully visible label on all reconditioned football helmets stating the helmet's last date of reconditioning, its original date of manufacture, and warning consumers that a football helmet's ability to protect the wearer can decline over time, despite being properly and regularly reconditioned.

(c) SAFETY STANDARDS.—

(1) IN GENERAL.—The Commission shall—

(A) in consultation with representatives of coaches, consumer groups, engineers, medical experts, school sports directors, scientists, and sports equipment standard-setting organizations, examine and assess the effectiveness of any voluntary consumer product safety standards for youth football helmets, reconditioned football helmets, and new football helmet concussion resistance proposed by a voluntary standards-setting organization; and

(B) in accordance with section 553 of title 5, United States Code, promulgate consumer product safety standards that—

(i) are substantially the same as such voluntary standards; or

(ii) are more stringent than such voluntary standards, if the Commission determines that more stringent standards would further reduce the risk of injury associated with football helmets.

(2) TIMETABLE FOR RULEMAKING.—If the Commission does not make an affirmative determination under subsection (a) within the 9-month period, the Commission shall commence the rulemaking required by subsection (b) within 30 days after the end of that 9-month period. The Commission shall periodically review and revise the standards set forth in the consumer product safety rule prescribed pursuant to that proceeding to ensure that such standards provide the highest level of safety for football helmets that is feasible.

SEC. 4. APPLICATION OF THIRD PARTY TESTING AND CERTIFICATION REQUIREMENTS TO YOUTH FOOTBALL HELMETS.

(a) IN GENERAL.—The third party testing and certification requirements of section 14(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2063(a)(2)) shall apply to any youth football helmet (including a reconditioned youth football helmet) to which any consumer product safety rule prescribed under section 3(b) of this Act applies as if the helmet were a children's product that is subject to a children's product safety rule without regard to the age of the individual for whom it is primarily designed or intended.

(b) SPECIAL APPLICATION OF DEFINITION OF CHILDREN'S PRODUCT FOR PURPOSES OF TESTING AND CERTIFICATION OF FOOTBALL HELMETS.—For the exclusive purpose of applying

the definition of the term ''children's product'' in section 3(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(2)) to the requirements of subsection (a) of this section, ''18 years'' shall be substituted for ''12 years'' each place it appears.

(c) For the purposes of this section, third party testing and certification shall be conducted by a testing laboratory that has an accreditation—

(1) that meets International Organization for Standardization/International Electrotechnical Commission standard 17025:2005 entitled *General Requirements for the Competence of Testing and Calibration Laboratories* (or any successor standard that is from an accreditation body that is signatory to the International Laboratory Accreditation Cooperation for testing accreditation);

(2) that meets International Organization for Standardization/International Electrotechnical Commission Guide 65:1996 entitled *General Requirements for Bodies Operating Product Certification Systems* (or any successor standard that is from an accreditation body that is signatory to the International Accreditation Forum for product certification accreditation); and

(3) that includes all appropriate football helmet standards and test methods within the scope of the accreditation.

SEC. 5. FALSE OR MISLEADING CLAIMS WITH RESPECT TO ATHLETIC SPORTING ACTIVITY GOODS.

(a) IN GENERAL.—It is unlawful for any person to sell, or offer for sale, in interstate commerce, or import into the United States for the purpose of selling or offering for sale, any item of equipment intended, designed, or offered for use by an individual engaged in any athletic sporting activity, whether professional or amateur, for which the seller or importer, or any person acting on behalf of the seller or importer, makes any false or misleading claim with respect to the safety benefits of such item.

(b) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) IN GENERAL.—Violation of subsection (a), or any regulation prescribed under this section, shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices. The Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(2) REGULATIONS.—Notwithstanding any other provision of law, the Commission may promulgate such regulations as it finds necessary or appropriate under this Act under section 553 of title 5, United States Code.

(3) PENALTIES.—Any person who violates subsection (a) or any regulation prescribed under that section, shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated in and made part of this Act.

(4) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(c) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) RIGHT OF ACTION.—Except as provided in paragraph (5), the attorney general of a State, or other authorized State officer, alleging a violation of subsection (a) or any regulation issued under that section that affects or may affect such State or its residents may bring an action on behalf of the residents of the State in any United States district court for the district in which the defendant is found, resides, or transacts business, or wherever venue is proper under section 1391 of title 28, United States Code, to obtain appropriate injunctive relief.

(2) INITIATION OF CIVIL ACTION.—A State shall provide prior written notice to the Federal Trade Commission of any civil action under paragraph (1) together with a copy of its complaint, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such action.

(3) INTERVENTION BY THE COMMISSION.—The Commission may intervene in such civil action and upon intervening—

(A) be heard on all matters arising in such civil action; and

(B) file petitions for appeal of a decision in such civil action.

(4) CONSTRUCTION.—Nothing in this section shall be construed—

(A) to prevent the attorney general of a State, or other authorized State officer, from exercising the powers conferred on the attorney general, or other authorized State officer, by the laws of such State; or

(B) to prohibit the attorney general of a State, or other authorized State officer, from proceeding in State or Federal court on the basis of an alleged violation of any civil or criminal statute of that State.

(5) LIMITATION.—No separate suit shall be brought under this subsection if, at the time the suit is brought, the same alleged violation is the subject of a pending action by the Federal Trade Commission or the United States under this section.

By Ms. COLLINS (for herself, Mr. ROBERTS, and Mr. BARRASSO):

S. 602. A bill to require regulatory reform; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, yesterday I offered three amendments to the SBIR/STTR Reauthorization Bill to make commonsense reforms to our regulatory system. Today, Senators ROBERTS and BARRASSO join me in offering the ''CURB Act''—which stands for ''Clearing Unnecessary Regulatory Burdens.'' This legislation combines the provisions of those three amendments to force federal agencies to cut the red tape that impedes job growth.

As I explained yesterday, all too often it seems Federal agencies do not take into account the impacts to small businesses and job growth before imposing new rules and regulations. The bill we are introducing today obligates them to do so.

The CURB Act does three things: first, it requires Federal agencies to analyze the indirect costs of regulations, such as the impact on job creation, the cost of energy, and consumer prices.

Presently, Federal agencies are not required by statute to analyze the indirect cost regulations can have on the public, such as higher energy costs, higher prices, and the impact on job creation. However, Executive Order 12866, issued by President Clinton in 1993, obligates agencies to provide the Office of Information and Regulatory Affairs with an assessment of the indirect costs of proposed regulations. Our bill would essentially codify this provision of President Clinton's Executive Order.

Second, the CURB Act obligates Federal agencies to comply with public notice and comment requirements and prohibits them from circumventing these requirements by issuing unofficial rules as ''guidance documents.''

After President Clinton issued Executive Order 12866, Federal agencies found it easier to issue so-called ''guidance documents,'' rather than formal rules. Although these guidance documents are merely an agency's interpretation of how the public can comply with a particular rule, and are not enforceable in court, as a practical matter they operate as if they are legally binding. Thus, they have been used by agencies to circumvent OIRA regulatory review and public notice and comment requirements.

In 2007, President Bush issued Executive Order 13422, which contained a provision closing this loophole by imposing ''Good Guidance Practices'' on Federal agencies, which requires them to provide public notice and comment for significant guidance documents. Our bill would essentially codify this provision of President Bush's Executive Order.

Third, the CURB Act helps out the ''little guy'' trying to navigate our incredibly complex and burdensome regulatory environment. So many small businesses don't have a lot of capital on hand. When a small business inadvertently runs afoul of a Federal regulation for the first time, that first penalty could sink the business and all the jobs it supports. Our bill would provide access to SBA assistance to small businesses in a situation where they face a first-time, non-harmful paperwork violation. It simply doesn't make sense to me to punish small businesses the first time they accidently fail to comply with paperwork requirements, so long as no harm comes from that failure.

Each of these provisions has been endorsed by the National Federation of Independent Business, NFIB, and the Small Business & Entrepreneurship Council. I urge my colleagues to support the CURB Act, which contains these important reforms to our regulatory system.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 103—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER (for himself and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

S. RES. 103

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Schumer, Mrs. Murray, Mr. Udall of New Mexico, Mr. Alexander, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Schumer, Mr. Durbin, Mr. Leahy, Mr. Alexander, and Mr. Cochran.

AMENDMENTS SUBMITTED AND PROPOSED

SA 229. Mr. PRYOR (for himself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes.

SA 230. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 231. Mr. PAUL (for himself, Mr. GRASSLEY, Mr. PORTMAN, Mr. RUBIO, Mr. ENZI, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 232. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 233. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 234. Ms. LANDRIEU (for herself and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 235. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 236. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 237. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 238. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 239. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 240. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 241. Mr. RISCH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 242. Mr. UDALL of Colorado (for himself, Ms. COLLINS, Mr. SCHUMER, Mr. LIEBERMAN, Mr. LEAHY, Mr. SANDERS, Mr. REED, Mr. WHITEHOUSE, Mr. NELSON of Florida, Mrs. BOXER, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 243. Ms. KLOBUCHAR (for herself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 229. Mr. PRYOR (for himself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

On page 116, after line 24, add the following:

SEC. 504. PATRIOT EXPRESS LOAN PROGRAM.

(a) PROGRAM.—

(1) IN GENERAL.—Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended by adding at the end the following:

''(G) PATRIOT EXPRESS LOAN PROGRAM.—

''(i) DEFINITION.—In this subparagraph, the term 'eligible member of the military community'—

''(I) means—

''(aa) a veteran, including a service-disabled veteran;

''(bb) a member of the Armed Forces on active duty who is eligible to participate in the Transition Assistance Program;

''(cc) a member of a reserve component of the Armed Forces;

''(dd) the spouse of an individual described in item (aa), (bb), or (cc) who is alive;

''(ee) the widowed spouse of a deceased veteran, member of the Armed Forces, or member of a reserve component of the Armed Forces who died because of a service-connected (as defined in section 101(16) of title 38, United States Code) disability; and

''(ff) the widowed spouse of a deceased member of the Armed Forces or member of a reserve component of the Armed Forces relating to whom the Department of Defense may provide for the recovery, care, and disposition of the remains of the individual under paragraph (1) or (2) of section 1481(a) of title 10, United States Code; and

''(II) does not include an individual who was discharged or released from the active military, naval, or air service under dishonorable conditions.

''(ii) LOAN GUARANTEES.—The Administrator shall establish a Patriot Express Loan Program, under which the Administrator may guarantee loans under this paragraph made by express lenders to eligible members of the military community.

''(iii) LOAN TERMS.—

''(I) IN GENERAL.—Except as provided in this clause, a loan under this subparagraph shall be made on the same terms as other loans under the Express Loan Program.

''(II) USE OF FUNDS.—A loan guaranteed under this subparagraph may be used for any business purpose, including start-up or expansion costs, purchasing equipment, working capital, purchasing inventory, or purchasing business-occupied real estate.

''(III) MAXIMUM AMOUNT.—The Administrator may guarantee a loan under this subparagraph of not more than $1,000,000.

''(IV) GUARANTEE RATE.—The guarantee rate for a loan under this subparagraph shall be the greater of—

''(aa) the rate otherwise applicable under paragraph (2)(A);

''(bb) 85 percent for a loan of not more than $500,000; and

''(cc) 80 percent for a loan of more than $500,000.''.

(2) GAO REPORT.—

(A) DEFINITION.—In this paragraph, the term ''programs'' means—

(i) the Patriot Express Loan Program under section 7(a)(31)(G) of the Small Business Act, as added by paragraph (1); and

(ii) the increased veteran participation pilot program under section 7(a)(33) of the Small Business Act, as in effect on the day before the date of enactment of this Act.

(B) REPORT REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the programs.

(C) CONTENTS.—The report submitted under subparagraph (B) shall include—

(i) the number of loans made under the programs;

(ii) a description of the impact of the programs on members of the military community eligible to participate in the programs;

(iii) an evaluation of the efficacy of the programs;

(iv) an evaluation of the actual or potential fraud and abuse under the programs; and

(v) recommendations for improving the Patriot Express Loan Program under section 7(a)(31)(G) of the Small Business Act, as added by paragraph (1).

(b) FEE REDUCTION.—Section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''With respect to'' and inserting ''Except as provided in subparagraph (C), with respect to''; and

(2) by adding at the end the following:

''(C) MILITARY COMMUNITY.—For an eligible member of the military community (as defined in paragraph (31)(G)(i)), the fee for a loan guaranteed under this subsection, except for a loan guaranteed under subparagraph (G) of paragraph (31), shall be equal to 75 percent of the fee otherwise applicable to the loan under subparagraph (A).''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SMALL BUSINESS ACT.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(A) by striking paragraph (33); and

(B) by redesignating paragraphs (34) and (35) as paragraphs (33) and (34), respectively.

(2) SMALL BUSINESS JOBS ACT OF 2010.—Section 1133(b) of the Small Business Jobs Act of 2010 (Public Law 111–240; 124 Stat. 2515) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) by striking paragraph (33), as redesignated by section 504(c) of the SBIR/STTR Reauthorization Act of 2011; and

''(2) by redesignating paragraph (34), as redesignated by section 504(c) of the SBIR/STTR Reauthorization Act of 2011, as paragraph (33).''.

(d) REDUCTION OF GOVERNMENT PRINTING COSTS.—

(1) STRATEGY AND GUIDELINES.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code—

(A) to develop a strategy to reduce Government printing costs during the 10-year period beginning on September 1, 2011; and

(B) to issue Government-wide guidelines for printing that implements the strategy developed under subparagraph (A).

(2) CONSIDERATIONS.—

(A) IN GENERAL.—In developing the strategy under paragraph (1)(A), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for—

(i) duplex and color printing;

(ii) the use of digital file systems by Executive departments and independent establishments; and

(iii) determine which Government publications might be made available on Government Web sites instead of being printed.

(B) ESSENTIAL PRINTED DOCUMENTS.—The Director of the Office of Management and Budget shall ensure that printed versions of documents that the Director determines are

essential to individuals entitled to or enrolled for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) or enrolled for benefits under part B of such title, individuals who receive old-age survivors' or disability insurance payments under title II of such Act (42 U.S.C. 401 et seq.), and other individuals with limited ability to use or access the Internet have access to printed versions of documents that the Director are available after the issuance of the guidelines under paragraph (1)(B).

SA 230. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows.

Strike section 501 and insert the following:

SEC. 501. NATIONALLY IMPORTANT RESEARCH TOPICS AND CRITICAL TECHNOLOGIES.

(a) SBIR PROGRAM.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(1) in paragraph (3), by striking ''critical technologies'' and all that follows and inserting the following: ''nationally important research topics or critical technologies, including nationally important research topics or critical technologies identified by the Interagency SBIR/STTR Policy Committee;''; and

(2) by adding after paragraph (12), as added by section 111(a) of this Act, the following:

''(13) encourage applications under the SBIR program (to the extent that the projects relate to the mission of the Federal agency)—

''(A) from small business concerns in geographic areas underrepresented in the SBIR program or located in rural areas (as defined in section 1393(a)(2) of the Internal Revenue Code of 1986);

''(B) small business concerns owned and controlled by women;

''(C) small business concerns owned and controlled by veterans;

''(D) small business concerns owned and controlled by Native Americans; and

''(E) small business concerns located in a geographic area with an unemployment rates that exceed the national unemployment rate, based on the most recently available monthly publications of the Bureau of Labor Statistics of the Department of Labor.''.

(b) STTR PROGRAM.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by section 111(b) of this Act, is amended—

(1) in paragraph (3), by striking ''critical technologies'' and all that follows and inserting the following: ''nationally important research topics or critical technologies, including nationally important research topics or critical technologies identified by the Interagency SBIR/STTR Policy Committee;'';

(2) in paragraph (15), by striking ''and'' at the end;

(3) in paragraph (16), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(17) encourage applications under the STTR program (to the extent that the projects relate to the mission of the Federal agency)—

''(A) from small business concerns in geographic areas underrepresented in the STTR program or located in rural areas (as defined in section 1393(a)(2) of the Internal Revenue Code of 1986);

''(B) small business concerns owned and controlled by women;

''(C) small business concerns owned and controlled by veterans;

''(D) small business concerns owned and controlled by Native Americans; and

''(E) small business concerns located in a geographic area with an unemployment rates that exceed the national unemployment rate, based on the most recently available monthly publications of the Bureau of Labor Statistics of the Department of Labor.''.

(c) NATIONALLY IMPORTANT RESEARCH TOPICS AND CRITICAL TECHNOLOGIES.—

(1) AMENDMENT.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding after subsection (mm), as added by section 503 of this Act, the following:

''(nn) BIENNIAL REPORT ON NATIONALLY IMPORTANT RESEARCH TOPICS AND CRITICAL TECHNOLOGIES.—

''(1) REPORT REQUIRED.—

''(A) IN GENERAL.—Not later than October 1, 2012, and every 2 years thereafter, the Interagency SBIR/STTR Policy Committee shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that identifies nationally important research topics and critical technologies. For purposes of this subsection, a nationally important research topic or critical technology may include a research topic or technology that relates to nanotechnology, rare diseases, security, energy, transportation, improving the security and quality of the water supply of the United States, or the efficiency of water delivery systems.

''(B) CONTENTS.—Each report required under subparagraph (A) shall include, for each research topic or critical technology identified in the report—

''(i) the reasons the Interagency SBIR/STTR Policy Committee selected the research topic or technology;

''(ii) the state of the development of the research topic or technology in the United States and in other countries; and

''(iii) an estimate of the current and anticipated level of research and development efforts in the United States concerning the research topic or technology.

''(C) MAXIMUM NUMBER OF NATIONALLY IMPORTANT RESEARCH TOPICS AND CRITICAL TECHNOLOGIES.—A report submitted under subparagraph (A) may not identify more than 30 research topics and technologies as nationally important research topics or critical technologies.

''(2) DETERMINATION OF NATIONAL IMPORTANCE.—

''(A) DETERMINATION.—The Interagency SBIR/STTR Policy Committee may identify a research topic or technology as a nationally important research topic or critical technology if the Interagency SBIR/STTR Policy Committee determines it is essential for the United States to develop the research topic or technology to further the long-term national security or economic prosperity of the United States.

''(B) CONSIDERATIONS.—In making a determination under subparagraph (A), the Interagency SBIR/STTR Policy Committee shall consider—

''(i) reports by the National Academies of Science; and

''(ii) other nationally recognized strategic plans, strategies, or roadmaps.''.

(2) PROSPECTIVE REPEAL.—Effective September 30, 2016, section 9 of the Small Business Act (15 U.S.C. 638), as amended by this subsection, is amended—

(A) in subsection (g)(3), by striking '', including nationally important research topics or critical technologies identified by the Interagency SBIR/STTR Policy Committee'';

(B) in subsection (o)(3), by striking '', including nationally important research topics or critical technologies identified by the Interagency SBIR/STTR Policy Committee''; and

(C) by striking subsection (nn).

SA 231. Mr. PAUL (for himself, Mr. GRASSLEY, Mr. PORTMAN, Mr. RUBIO, Mr. ENZI, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows.

At the appropriate place, insert the following:

SEC. _____. REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY.

(a) SHORT TITLE.—This section may be cited as the ''Regulations From the Executive in Need of Scrutiny Act of 2011'' or the ''REINS Act''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Section 1 of article I of the United States Constitution grants all legislative powers to Congress.

(B) Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes.

(C) By requiring a vote in Congress, this Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the people of the United States for the laws imposed upon them.

(2) PURPOSE.—The purpose of this Act is to increase accountability for and transparency in the Federal regulatory process.

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—Chapter 8 of title 5, United States Code, is amended to read as follows:

''CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within sections 804(2)(A), 804(2)(B), and 804(2)(C);

''(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

''(v) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any;

''(ii) the agency's actions under title 5 of the United States Code, sections 603, 604, 605, 607, and 609;

''(iii) the agency's actions under sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1532, 1533, 1534, and 1535); and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date as provided in section 802(b)(2). The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B).

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days, or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day, or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

''§ 802. Congressional approval procedure for major rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced on or after the date on which the report referred to in section 801(a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress approves the rule submitted by the __ relating to __.' (The blank spaces being appropriately filled in).

''(1) In the House, the majority leader of the House of Representatives (or his designee) and the minority leader of the House of Representatives (or his designee) shall introduce such joint resolution described in subsection (a) (by request), within 3 legislative days after Congress receives the report referred to in section 801(a)(1)(A).

''(2) In the Senate, the majority leader of the Senate (or his designee) and the minority leader of the Senate (or his designee) shall introduce such joint resolution described in subsection (a) (by request), within 3 session days after Congress receives the report referred to in section 801(a)(1)(A).

''(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2) For purposes of this section, the term 'submission date' means the date on which the Congress receives the report submitted under section 801(a)(1).

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e)(1) In the House of Representatives, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 legislative days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the appropriate calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th legislative day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(2)(A) A motion in the House of Representatives to proceed to the consideration of a resolution shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(B) Debate in the House of Representatives on a resolution shall be limited to not more than two hours, which shall be divided equally between those favoring and those opposing the resolution. A motion to further limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order. It shall not be in order to reconsider the vote by which a resolution is agreed to or disagreed to.

''(C) Motions to postpone, made in the House of Representatives with respect to the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

''(D) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a resolution shall be decided without debate.

''(f) If, before the passage by one House of a joint resolution of that House described in

subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply with respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(1) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(2) the vote on final passage shall be on the joint resolution of the other House.

''(g) The enactment of a resolution of approval does not serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, does not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the __ __ relating to __ __, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b)(1) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(2) For purposes of this section, the term 'submission or publication date' means the later of the date on which—

''(A) the Congress receives the report submitted under section 801(a)(1); or

''(B) the nonmajor rule is published in the Federal Register, if so published.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date, or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter—

''(1) the term 'Federal agency' means any agency as that term is defined in section 551(1);

''(2) the term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

''(A) an annual effect on the economy of $100,000,000 or more;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets;

''(3) the term 'nonmajor rule' means any rule that is not a major rule; and

''(4) the term 'rule' has the meaning given such term in section 551, except that such term does not include—

''(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(B) any rule relating to agency management or personnel; or

''(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SA 232. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follow:

On page 4, line 9, strike ''2019'' and insert ''2025''.

On page 4, line 17, strike ''2019'' and insert ''2025''.

SA 233. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follow:

On page 27, line 21, strike the quotation marks and the second period and insert the following:

''(5) PREFERENCE FOR PHASE III AWARDS.—To the greatest extent practicable, in making Phase III awards, Federal agencies and Federal prime contractors shall give preference to applicants that will carry out projects in the United States.''.

On page 49, line 16, strike ''and''.

On page 49, between lines 18 and 19, insert the following:

(C) in subparagraph (C), by striking ''and'' at the end;

(D) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(E) developing, manufacturing, and commercializing in the United States new commercial products and processes resulting from such projects.'';

On page 54, line 4, strike the quotation marks and the second period and insert the following:

''(7) INCENTIVES FOR DOMESTIC TESTING AND PRODUCTION.—In carrying out the Commercialization Readiness Program, the Secretary of Defense shall give preference to research programs that—

''(A) test products or services in the United States; and

''(B) would allow the Department of Defense to fulfill the requirements under chapter 83 of title 41, United States Code (commonly referred to as the 'Buy American Act').''.

On page 56, between lines 15 and 16, insert the following:

''(5) INCREASING DOMESTIC CAPABILITIES.—In carrying out a pilot program, the head of a covered Federal agency shall give preference to applicants that intend to test, develop, manufacture or commercialize a product or service in the United States.

On page 56, line 16, strike ''(5)'' and insert ''(6)''.

On page 57, line 1, strike ''(6)'' and insert ''(7)''.

On page 57, line 4, strike ''(7)'' and insert ''(8)''.

On page 60, line 7, after ''processes,'' insert the following: ''giving preference to research conducted in the United States,''.

On page 91, line 20, strike ''and'' at the end.

On page 91, strike line 22 and insert the following:

award; and

''(4) whether the small business concern or individual receiving the Phase III award is developing, testing, producing, or manufacturing the product or service that is the subject of the Phase III award in the United States.''.

On page 105, line 2, strike ''and''.

On page 105, between lines 6 and 7, insert the following:

(C) ways for Federal agencies to create incentives for recipients of awards under the SBIR program and the STTR program to carry out research, development, testing, production, manufacturing, and commercialization in the United States; and

On page 107, between lines 10 and 11, insert the following:

SEC. 316. GAO STUDY AND REPORT ON DOMESTIC PRODUCTION, MANUFACTURING, AND COMMERCIALIZATION.

(a) STUDY.—Not later than 3 years after the date of enactment of this Act, and every 3 years thereafter, the Comptroller General of the United States shall—

(1) conduct a study that—

(A) determines the amount of production, manufacturing, and commercialization in the United States that resulted from awards under the SBIR and STTR programs during the applicable period; and

(B) estimates the number of jobs created as a result of awards under the SBIR and STTR programs during the applicable period; and

(2) submit a report to Congress that contains the results of the study under paragraph (1), together with recommendations, if any, for how to use the SBIR and STTR programs to increase production, manufacturing, and commercialization in the United States.

(b) APPLICABLE PERIOD.—In this section, the term ''applicable period'' means, for each report submitted under paragraph (2), the 3-year period ending on the date that is 30 days before the date of the report.

On page 115, line 8, insert after ''programs'' the following: '', including the impact on production and manufacturing in the United States''.

SA 234. Ms. LANDRIEU (for herself and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—SMALL BUSINESS BROADBAND AND EMERGING INFORMATION TECHNOLOGY ENHANCEMENTS

SEC. 601. BROADBAND AND EMERGING INFORMATION TECHNOLOGY COORDINATOR.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 45 as section 46; and

(2) by inserting after section 44 the following:

''SEC. 45. BROADBAND AND EMERGING INFORMATION TECHNOLOGY.

''(a) DEFINITION.—In this section, the term 'broadband and emerging information technology coordinator' means the individual assigned the broadband and emerging information technology coordination responsibilities of the Administration under subsection (b)(1).

''(b) ASSIGNMENT OF COORDINATOR.—

''(1) ASSIGNMENT OF COORDINATOR.—The Administrator shall assign responsibility for coordinating the programs and activities of the Administration relating to broadband and emerging information technology to an individual who—

''(A) shall report directly to the Administrator;

''(B) shall work in coordination with—

''(i) the chief information officer, the chief technology officer, and the head of the Office of Technology of the Administration; and

''(ii) any Associate Administrator of the Administration determined appropriate by the Administrator;

''(C) has experience developing and implementing telecommunications policy in the private sector or government; and

''(D) has demonstrated significant experience in the area of broadband or emerging information technology.

''(2) RESPONSIBILITIES OF COORDINATOR.—The broadband and emerging information technology coordinator shall—

''(A) coordinate programs of the Administration that assist small business concerns in adopting, making innovations in, and using broadband and other emerging information technologies;

''(B) serve as the primary liaison of the Administration to other Federal agencies involved in broadband and emerging information technology policy, including the Department of Commerce, the Department of Agriculture, and the Federal Communications Commission; and

''(C) identify best practices relating to broadband and emerging information technology that may benefit small business concerns.

''(3) TRAVEL.—Not more than 20 percent of the hours of service by the broadband and emerging information technology coordinator during any fiscal year shall consist of travel outside the United States to perform official duties.

''(c) BROADBAND AND EMERGING TECHNOLOGY TRAINING.—

''(1) TRAINING.—The Administrator shall provide to employees of the Administration training that—

''(A) familiarizes employees of the Administration with broadband and other emerging information technologies; and

''(B) includes—

''(i) instruction counseling small business concerns regarding adopting, making innovations in, and using broadband and other emerging information technologies; and

''(ii) information on programs of the Federal Government that provide assistance to small business concerns relating to broadband and emerging information technologies.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this subsection.

''(d) REPORTS.—

''(1) BIENNIAL REPORT ON ACTIVITIES.—Not later than 2 years after the date on which the Administrator makes the first assignment of responsibilities under subsection (b), and every 2 years thereafter, the broadband and emerging information technology coordinator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the programs and activities of the Administration relating to broadband and other emerging information technologies.

''(2) REPORT ON FEDERAL PROGRAMS.—Not later than 1 year after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, the broadband and emerging information technology coordinator, in consultation with the Secretary of Agriculture, the Assistant Secretary of Commerce for Communications and Information, and the Chairman of the Federal Communications Commission, shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on the programs of the Federal Government that provide assistance to small business concerns relating to broadband and emerging information technologies, which shall include recommendations, if any, for improving coordination among the programs.''.

(b) ELIMINATION OF VACANT POSITION REQUIRED.—

(1) ELIMINATION.—Before assigning the first broadband and emerging technologies coordinator under section 45 of the Small Business Act, as added by subsection (a) of this section, the Administrator shall—

(A) identify a position within the Administration that is—

(i) vacant on the date of enactment of this Act; and

(ii) required to be filled by an employee in the Senior Executive Service or at GS–15 of the General Schedule; and

(B) eliminate the position identified under subparagraph (A).

(2) RESTRICTION.—For purposes of paragraph (1), the Administrator may not eliminate a position established by the Small Business Act (15 U.S.C. 631 et seq.), the Small Business Investment Act 1958 (15 U.S.C. 661 et seq.), or any other Federal statute.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—The amendments made by section 205(b) shall have no force or effect.

(2) PROSPECTIVE REPEAL OF ACCELERATING CURES PILOT PROGRAM.—Effective 5 years after the date of enactment of this Act, the Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) by striking section 43, as added by section 205(a); and

(B) by redesignating sections 44, 45 (as added by subsection (a)), and 46 (as redesignated by subsection (a)) as sections 43, 44, and 45, respectively.

SEC. 602. ENTREPRENEURIAL DEVELOPMENT.

Section 21(c)(3)(B) of the Small Business Act (15 U.S.C. 648(c)(3)(B)) is amended—

(1) in the matter preceding clause (i), by inserting ''accessing broadband and other emerging information technology,'' after ''technology transfer,'';

(2) in clause (ii), by striking ''and'' at the end;

(3) in clause (iii), by adding ''and'' at the end; and

(4) by adding at the end the following:

''(iv) increasing the competitiveness and productivity of small business concerns by assisting entrepreneurs in accessing broadband and other emerging information technology;''.

SEC. 603. CAPITAL ACCESS.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended in the matter preceding paragraph (1) by inserting ''(including to purchase equipment for broadband or other emerging information technologies)'' after ''equipment''.

(b) MICROLOANS.—Section 7(m)(1)(A)(iii)(I) of the Small Business Act (15 U.S.C. 636(m)(1)(A)(iii)(I)) is amended by inserting ''(including to purchase equipment for broadband or other emerging information technologies)'' after ''or equipment''.

SEC. 604. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 45 days after the date of enactment of this Act, the Administrator, in consultation with the Administrator of General Services, shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on ways to assist with the development of broadband and wireless technology that would benefit small business concerns.

(b) CONTENT OF THE REPORT.—The report submitted under subsection (a) shall—

(1) outline the participation by the Administration in the National Antenna Program, including the number of wireless towers deployed on facilities which contain an office of the Administration;

(2) information on agreements between the Administration and the General Services Administration related to broadband and wireless deployment in offices of the Administration; and

(3) recommendations, if any, on opportunities for the Administration to improve broadband or wireless technology in offices of the Administration that are in areas currently underserved or unserved by broadband service providers.

SA 235. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. SMALL BUSINESS INTERMEDIARY LENDING PILOT PROGRAM TECHNICAL CORRECTION.

Section 7(l)(4)(B) of the Small Business Act (15 U.S.C. 636(l)(4)(B)) is amended by inserting ''under the Program'' after ''to the eligible intermediary by the Administrator''.

SA 236. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. GREENHOUSE GAS-RELATED EXEMPTIONS FROM PERMITTING REQUIREMENTS.

(a) PURPOSES.—The purposes of this section are—

(1) to ensure that the greenhouse gas emissions from certain sources will not require a permit under the Clean Air Act (42 U.S.C. 7401 et seq.); and

(2) to exempt greenhouse gas emissions from certain agricultural sources from permitting requirements under that Act.

(b) AMENDMENT.—Title III of the Clean Air Act (42 U.S.C. 7601 et seq.) is amended by adding at the end the following:

''SEC. 329. GREENHOUSE GAS-RELATED EXEMPTIONS FROM PERMITTING REQUIREMENTS.

''(a) DEFINITION OF GREENHOUSE GAS.—In this section, the term 'greenhouse gas' means any of the following:

''(1) Carbon dioxide.

''(2) Methane.

''(3) Nitrous oxide.

''(4) Sulfur hexafluoride.

''(5) Hydrofluorocarbons.

''(6) Perfluorocarbons.

''(7) Nitrogen trifluoride.

''(8) Any other anthropogenic gas, if the Administrator determines that 1 ton of the gas has the same or greater effect on global climate change as does 1 ton of carbon dioxide.

''(b) NEW SOURCE REVIEW.—

''(1) MODIFICATION OF DEFINITION OF AIR POLLUTANT.—For purposes of determining whether a stationary source is a major emitting facility under section 169(1) or has undertaken construction pursuant to section 165(a), the term 'air pollutant' shall not include any greenhouse gas unless the gas is subject to regulation under this Act for reasons independent of the effects of the gas on global climate change.

''(2) THRESHOLDS FOR EXCLUSIONS FROM PERMIT PROVISIONS.—No requirement of part C of title I shall apply with respect to any greenhouse gas unless the gas is subject to regulation under this Act for reasons independent of the effects of the gas on global climate change or the gas is emitted by a stationary source—

''(A) that is—

''(i) a new major emitting facility that will emit, or have the potential to emit, greenhouse gases in a quantity of at least 75,000 tons of carbon dioxide equivalent per year; or

''(ii) an existing major emitting facility that undertakes construction which increases the quantity of greenhouse gas emissions, or which results in emission of greenhouse gases not previously emitted, of at least 75,000 tons carbon dioxide equivalent per year; and

''(B) that has greenhouse gas emissions equal to or exceeding 250 tons per year in mass emissions or, in the case of any of the types of stationary sources identified in section 169(1), 100 tons per year in mass emissions.

''(3) AGRICULTURAL SOURCES.—In calculating the emissions or potential emissions of a source or facility, emissions of greenhouse gases that are subject to regulation under this Act solely on the basis of the effect of the gases on global climate change shall be excluded if the emissions are from—

''(A) changes in land use;

''(B) the raising of commodity crops, stock, dairy, poultry, or fur-bearing animals, or the growing of fruits or vegetables; or

''(C) farms, plantations, ranches, nurseries, ranges, orchards, and greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities.

''(c) TITLE V OPERATING PERMITS.—Notwithstanding any provision of title III or title V, no stationary source shall be required to apply for, or operate pursuant to, a permit under title V, solely on the basis of the emissions of the stationary source of greenhouse gases that are subject to regulation under this Act solely on the basis of the effect of the greenhouse gases on global climate change, unless those emissions from that source are subject to regulation under this Act.''.

SA 237. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. _____. CONGRESSIONAL RECORD.

(a) PROHIBITION ON PRINTING THE CONGRESSIONAL RECORD.—

(1) IN GENERAL.—Chapter 9 of title 44, United States Code, is amended by striking section 903 and inserting the following:

''§ 903. Congressional Record: daily and permanent forms

''(a) IN GENERAL.—The public proceedings of each House of Congress as reported by the Official Reporters, shall be included in the Congressional Record, which shall be issued in daily form during each session and shall be revised and made electronically available promptly, as directed by the Joint Committee on Printing, for distribution during and after the close of each session of Congress. The daily and the permanent Record shall bear the same date, which shall be that of the actual day's proceedings reported. The Government Printing Office shall not print the Congressional Record.

''(b) ELECTRONIC AVAILABILITY.—

''(1) GOVERNMENT PRINTING OFFICE.—The Government Printing Office shall make the Congressional Record available to the Secretary of the Senate and the Chief Administrative Officer of the House of Representatives in an electronic form in a timely manner to ensure the implementation of paragraph (1).

''(2) WEBSITE.—The Secretary of the Senate and the Chief Administrative Officer of the House of Representatives shall make the Congressional Record available—

''(A) to the public on the websites of the Secretary of the Senate and the Chief Administrative Officer of the House of Representatives; and

''(B) in a format which enables the Congressional Record to be downloaded and printed by users of the website.''.

(b) CONGRESSIONAL RECORD.—

(1) IN GENERAL.—Chapter 9 of title 44, United States Code, is amended—

(A) in section 905, in the first sentence, by striking ''printing'' and inserting ''inclusion''; and

(B) by striking sections 906, 909, and 910.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 9 of title 44, United States Code, is amended by striking the items relating to sections 906, 909, and 910.

SA 238. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, insert the following:

SEC. 504. DISPOSITION OF FEDERAL HIGH SPEED RAIL FUNDING NOT USED BY STATE TO WHICH IT WAS ALLOCATED.

Amounts allocated to any State under the Federal Railroad Administration's High-Speed Intercity Passenger Rail Program that are not used by that State—

(1) shall be deposited into the General Fund of the Treasury to reduce that national deficit; and

(2) may not be reallocated to another qualifying State for any high speed rail project.

SA 239. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

SEC. 504. ELIMINATION OF DUPLICATIVE SECURITY ASSESSMENTS.

Notwithstanding any other provision of law, the Transportation Security Administration is not authorized to conduct security assessments on hazardous material trucking companies that are similar to the security contact reviews conducted by the Federal Motor Carrier Safety Administration.

SA 240. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. SURETY BONDS.

(a) MAXIMUM BOND AMOUNT.—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended by striking ''(1)'' and all that follows and inserting the following: ''(1)(A) The Administration may, upon such terms and conditions as it may prescribe, guarantee and enter into commitments to guarantee any surety against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by a principal on any total work order or contract amount at the time of bond execution that does not exceed $5,000,000.

''(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract amount that does not exceed $10,000,000, if a contracting officer of a Federal agency certifies that such a guarantee is necessary.''.

(b) DENIAL OF LIABILITY.—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—

(1) by striking subsection (e) and inserting the following:

''(e) REIMBURSEMENT OF SURETY; CONDITIONS.—Pursuant to any such guarantee or agreement, the Administration shall reimburse the surety, as provided in subsection (c) of this section, except that the Administration shall be relieved of liability (in whole or in part within the discretion of the Administration) if—

''(1) the surety obtained such guarantee or agreement, or applied for such reimbursement, by fraud or material misrepresentation;

''(2) the total contract amount at the time of execution of the bond or bonds exceeds $5,000,000;

''(3) the surety has breached a material term or condition of such guarantee agreement; or

''(4) the surety has substantially violated the regulations promulgated by the Administration pursuant to subsection (d).'';

(2) by striking subsection (k); and

(3) by adding after subsection (i) the following:

''(j) DENIAL OF LIABILITY.—For bonds made or executed with the prior approval of the Administration, the Administration shall not deny liability to a surety based upon material information that was provided as part of the guaranty application.''.

(c) SIZE STANDARDS.—Section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a) is amended—

(1) by striking paragraph (9); and

(2) adding after paragraph (8) the following:

''(9) Notwithstanding any other provision of law or any rule, regulation, or order of the Administration, for purposes of sections 410, 411, and 412 the term 'small business concern' means a business concern that meets the size standard for the primary industry in which such business concern, and the affiliates of such business concern, is engaged, as determined by the Administrator in accordance with the North American Industry Classification System.''.

SA 241. Mr. RISCH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ___. NATIONAL PRIMARY DRINKING WATER REGULATIONS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) SMALL SYSTEM.—The term ''small system'' means a public water system (as defined in section 1401 of the Safe Drinking Water Act (42 U.S.C. 300f)) that serves not more than 10,000 individuals.

(b) SUSPENSION OF ENFORCEMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, subject to paragraph (2), none of the funds made available by this or any other Act may be used for the enforcement of national primary drinking water regulations promulgated under the Safe Drinking Water Act (42 U.S.C. 300f et seq.) until such date as the Administrator—

(A) implements a program to provide to small systems subject to those regulations, using the authority available to the Administrator under that Act, financial and technical assistance for use in complying with those regulations; and

(B) ensures that sufficient funds have been made available under this section to assist each small system in meeting requirements under those regulations.

(2) CONTINUED SUSPENSION.—If, after the date described in paragraph (1), a small system certifies to the Administrator that the small system lacks funds necessary to comply with the regulations referred to in paragraph (1) for a fiscal year, the Administrator shall suspend enforcement of the regulations (including any action to assess or collect a fine under the regulations) with respect to the small system for the fiscal year.

SA 242. Mr. UDALL of Colorado (for himself, Ms. COLLINS, Mr. SCHUMER, Mr. LIEBERMAN, Mr. LEAHY, Mr. SANDERS, Mr. REED, Mr. WHITEHOUSE, Mr. NELSON of Florida, Mrs. BOXER, and Mr. REID) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VI—SMALL BUSINESS LENDING ENHANCEMENT

SEC. 601. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This title may be cited as the ''Small Business Lending Enhancement Act of 2011''.

(b) DEFINITIONS.—In this title—

(1) the term ''Board'' means the National Credit Union Administration Board;

(2) the term ''insured credit union'' has the same meaning as in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

(3) the term ''member business loan'' has the same meaning as in section 107A(c)(1) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1));

(4) the term ''net worth'' has the same meaning as in section 107A(c)(2) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(2)); and

(5) the term ''well capitalized'' has the meaning given that term in section 216(c)(1)(A) of the Federal Credit Union Act (12 U.S.C. 1709d(c)(1)(A)).

SEC. 602. LIMITS ON MEMBER BUSINESS LOANS.

Effective 6 months after the date of enactment of this title, section 107A(a) of the Federal Credit Union Act (12 U.S.C. 1757a(a)) is amended to read as follows:

''(a) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an insured credit union may not make any member business loan that would result in the total amount of such loans outstanding at that credit union at any one time to be equal to more than the lesser of—

''(A) 1.75 times the actual net worth of the credit union; or

''(B) 12.25 percent of the total assets of the credit union.

''(2) ADDITIONAL AUTHORITY.—The Board may approve an application by an insured credit union upon a finding that the credit union meets the criteria under this paragraph to make 1 or more member business loans that would result in a total amount of such loans outstanding at any one time of not more than 27.5 percent of the total assets of the credit union, if the credit union—

''(A) had member business loans outstanding at the end of each of the 4 consecutive quarters immediately preceding the date of the application, in a total amount of not less than 80 percent of the applicable limitation under paragraph (1);

''(B) is well capitalized, as defined in section 216(c)(1)(A);

''(C) can demonstrate at least 5 years of experience of sound underwriting and servicing of member business loans;

''(D) has the requisite policies and experience in managing member business loans; and

''(E) has satisfied other standards that the Board determines are necessary to maintain the safety and soundness of the insured credit union.

''(3) EFFECT OF NOT BEING WELL CAPITALIZED.—An insured credit union that has made member business loans under an authorization under paragraph (2) and that is not, as of its most recent quarterly call report, well capitalized, may not make any member business loans, until such time as the credit union becomes well capitalized (as defined in section 216(c)(1)(A)), as reflected in a subsequent quarterly call report, and obtains the approval of the Board.''.

SEC. 603. IMPLEMENTATION.

(a) TIERED APPROVAL PROCESS.—The National Credit Union Administration Board

shall develop a tiered approval process, under which an insured credit union gradually increases the amount of member business lending in a manner that is consistent with safe and sound operations, subject to the limits established under section 107A(a)(2) of the Federal Credit Union Act (as amended by this title). The rate of increase under the process established under this paragraph may not exceed 30 percent per year.

(b) RULEMAKING REQUIRED.—The Board shall issue proposed rules, not later than 6 months after the date of enactment of this Act, to establish the tiered approval process required under subsection (a). The tiered approval process shall establish standards designed to ensure that the new business lending capacity authorized under the amendment made by section 2 is being used only by insured credit unions that are well-managed and well capitalized, as required by the amendments made under section 2, and as defined by the rules issued by the Board under this subsection.

(c) CONSIDERATIONS.—In issuing rules required under this section, the Board shall consider—

(1) the experience level of the institutions, including a demonstrated history of sound member business lending;

(2) the criteria under section 107A(a)(2) of the Federal Credit Union Act, as amended by this title; and

(3) such other factors as the Board determines necessary or appropriate.

SEC. 604. REPORTS TO CONGRESS ON MEMBER BUSINESS LENDING.

(a) REPORT OF THE BOARD.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Board shall submit a report to Congress on member business lending by insured credit unions.

(2) REPORT.—The report required under paragraph (1) shall include—

(A) the types and asset size of insured credit unions making member business loans and the member business loan limitations applicable to the insured credit unions;

(B) the overall amount and average size of member business loans by each insured credit union;

(C) the ratio of member business loans by insured credit unions to total assets and net worth;

(D) the performance of the member business loans, including delinquencies and net charge offs;

(E) the effect of this title and the amendments made by this title on the number of insured credit unions engaged in member business lending, any change in the amount of member business lending, and the extent to which any increase is attributed to the change in the limitation in section 107A(a) of the Federal Credit Union Act, as amended by this title;

(F) the number, types, and asset size of insured credit unions that were denied or approved by the Board for increased member business loans under section 107A(a)(2) of the Federal Credit Union Act, as amended by this title, including denials and approvals under the tiered approval process;

(G) the types and sizes of businesses that receive member business loans, the duration of the credit union membership of the businesses at the time of the loan, the types of collateral used to secure member business loans, and the income level of members receiving member business loans; and

(H) the effect of any increases in member business loans on the risk to the National Credit Union Share Insurance Fund and the assessments on insured credit unions.

(b) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on the status of member business lending by insured credit unions, including—

(A) trends in such lending;

(B) types and amounts of member business loans;

(C) the effectiveness of this section in enhancing small business lending;

(D) recommendations for legislative action, if any, with respect to such lending; and

(E) any other information that the Comptroller General considers relevant with respect to such lending.

(2) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit a report to Congress on the study required by paragraph (1).

SA 243. Ms. KLOBUCHAR (for herself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, at the end, add the following:

SEC. 209. INNOVATIVE TECHNOLOGY DEVELOPMENT LOAN GUARANTEE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CLEAN TECHNOLOGY.—The term ''clean technology'' means—

(A) technology that improves energy efficiency, including—

(i) technologies to reduce energy consumption;

(ii) energy-efficient building technologies and applications; and

(iii) efficient electricity transmission, distribution, and electrical grid-based storage;

(B) technology relating to energy storage;

(C) fuel cells and batteries; and

(D) component technologies for electric vehicles.

(2) RENEWABLE ENERGY.—The term ''renewable energy'' means energy generated from any of the following:

(A) Solar, wind, geothermal, or ocean based sources.

(B) Biomass, biofuels, or feedstock.

(C) Landfill gas.

(D) Municipal solid waste.

(E) Incremental hydropower.

(F) Hydropower that has been certified by the Low Impact Hydropower Institute

(3) SMALL- OR MEDIUM-SIZE HIGH GROWTH TECHNOLOGY COMPANY.—The term ''small- or medium-sized high growth technology company'' means a small business concern that primarily engages in commerce in 1 or more of the following industries:

(A) Life sciences.

(B) Medical devices.

(C) Computer hardware.

(D) Computer software.

(E) Clean technology.

(F) Renewable energy generation and manufacturing.

(G) Such other industries as the Secretary considers appropriate.

(4) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Commerce.

(5) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given that term under section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

(b) ESTABLISHMENT OF INNOVATIVE PRODUCT LOAN GUARANTEE PROGRAM.—

(1) ESTABLISHMENT.—The Secretary shall establish a loan guarantee program to help small- and medium-sized high growth technology companies who the Secretary determines—

(A) are operating in a phase of the business life cycle in which technological, market, or regulatory uncertainty constrains the amount of capital available from lenders and equity investors to such companies during such phase; and

(B) are unable to progress to the next phase of the business life cycle because of such constraints on the availability of capital.

(2) DESIGNATION.—The loan guarantee program established under paragraph (1) shall be known as the ''Innovative Technology Development Loan Guarantee Program''.

(c) GENERAL AUTHORITY.—

(1) IN GENERAL.—The Secretary may, under the program established pursuant to subsection (b)(1), guarantee the full or partial repayment of a loan that meets the requirements of this section.

(2) GUARANTEE PERCENTAGE.—For a loan guaranteed under the program established pursuant to subsection (b)(1), the Secretary may guarantee such percentage of such loan as the Secretary considers appropriate, except that such percentage shall be not less than 50 percent and not more than 90 percent.

(d) LOAN REQUIREMENTS.—A loan referred to in subsection (c) meets the requirements of this section if each of the following requirements is met:

(1) PURPOSE.—The loan is for—

(A) fixed assets relating to reequipping, expanding, or establishing a facility the Secretary considers necessary for the loan recipient to enter the next phase of the business life cycle; or

(B) providing the loan recipient with working capital the Secretary considers necessary for the loan recipient to enter the next phase of the business life cycle.

(2) INTEREST RATE.—The interest rate for the loan does not exceed such maximum rate as the Secretary considers appropriate.

(3) TERMS AND CONDITIONS.—The loan has such terms and conditions as the Secretary considers commercially reasonable and consistent with prevailing market standards.

(4) PRE-QUALIFIED LENDERS.—The loan is offered by a lender who has been pre-qualified under subsection (e).

(e) PRE-QUALIFICATION OF LENDERS.—The Secretary shall pre-qualify lenders who—

(1) are nongovernmental entities who specialize in providing financing to high growth technology companies; and

(2) the Secretary determines will expedite the loan process and are competent to carry out credit underwriting, loan origination, loan documentation, loan administration, and loan servicing under the program established pursuant to subsection (b)(1).

(f) SYNDICATION.—A lender offering a loan that is guaranteed under the program established pursuant to subsection (b)(1) shall agree not to syndicate or assign the loan unless—

(1) the loan is syndicated or assigned to a third party financial institution that the Secretary considers qualified;

(2) the lender retains a pre-specified portion of the unguaranteed credit risk; and

(3) the lender continues to perform as the servicing and administrative agent for the loan.

(g) DEFAULT.—Notwithstanding any other provision of law, in the case of a default on a loan guaranteed under this section, the lender shall have the right of first refusal to serve as workout and collection agent for purposes of such default and under such terms as the Secretary considers appropriate.

(h) FEES.—The Secretary may establish such fees as the Secretary considers necessary to cover the costs of administering the program established under subsection (b)(1).

(i) INNOVATIVE TECHNOLOGY DEVELOPMENT FUND.—

(1) IN GENERAL.—There is established in the Treasury of the United States a revolving fund known as the ''Innovative Technology Development Fund'' (in this subsection referred to as the ''Fund'').

(2) ELEMENTS.—There shall be deposited in the fund the following, which shall constitute the assets of the Fund:

(A) Amounts paid into the Fund under any provision of law or regulation established by the Secretary imposing fees under subsection (h).

(B) All other amounts received by the Secretary incident to operations relating to the loan guarantee program established under subsection (b)(1).

(3) USE OF FUNDS.—The Fund shall be available to the Secretary, without fiscal year limitation, to carry out the provisions of this section.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $200,000,000 for fiscal year 2011.

SEC. 210. INTERNET WEBSITE PROMOTING COMMERCIALIZATION OF TECHNOLOGY IDEAS INVENTED BY FEDERALLY FUNDED RESEARCHERS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall, acting through the Director of the National Institute for Standards and Technology, establish and maintain an Internet website that connects Federally funded researchers who have ideas for technologies that they believe could be commercialized with persons who express interest in working with Federally-funded researchers on the commercialization of their technologies.

(b) PARTICIPATION OPTIONAL.—Participation of a Federally-funded researcher in the Internet website required by subsection (a) shall be optional.

(c) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the establishment of the Internet website required by subsection (a), the Secretary shall submit to Congress a report on such Internet website.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The status of the Internet website required by subsection (a).

(B) An assessment of such Internet website.

(C) Such recommendations as the Secretary may have for improvements to the Internet website and any additional funding or legislative action as the Secretary considers necessary to implement such improvements.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Commerce to carry out this section $1,000,000 for each of the fiscal years 2011 through 2015. Amounts appropriated under this subsection shall remain available until expended.

SEC. 211. LIMITATION ON GOVERNMENT PRINTING COSTS.

Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of Federal departments and independent agencies to—

(1) determine which Government publications could be available on Government Internet websites and no longer printed and to devise a strategy to reduce overall Government printing costs over the 10-year period beginning with fiscal year 2011, except that the Director shall ensure that essential printed documents prepared for social security recipients, medicare beneficiaries, and other populations in areas with limited Internet access or use continue to remain available;

(2) establish government-wide Federal guidelines on employee printing; and

(3) issue on the Office of Management and Budget's public Internet website the results of a cost-benefit analysis on implementing a digital signature system and on establishing employee printing identification systems, such as the use of individual employee cards or codes, to monitor the amount of printing done by Federal employees; except that the Director of the Office of Management and Budget shall ensure that Federal employee printing costs unrelated to national defense, homeland security, border security, national disasters, and other emergencies do not exceed $860,000,000 annually.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, April 14, 2011, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to review S. 343 a bill to amend Title I of PL 99–658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau following the Compact of Free Association Section 432 Review, to appropriate funds for the purposes of the amended PL 99–658 for fiscal years ending on or before September 30, 2024, and to carry out the agreements resulting from that review.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to Abigail__Campbell @energy.senate.gov.

For further information, please contact Al Stayman or Abigail Campbell.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 16, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Ms. LANDRIEU. Mr. President I ask unanimous consent that the Committee on Commerce, Science and Transportation be authorized to meet during the session of the Senate on March 16, 2011, at 10 a.m. in room 253 of the Russell Senate Office Building, to hold a hearing entitled, ''The State of Online Consumer Privacy.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 16, 2011, at 10 a.m. in SD–406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 16, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled ''Health Reform: Lessons Learned During the First Year.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTE ON FOREIGN RELATIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 16, 2011, at 9 a.m., to hold a hearing entitled, ''Intelligence Update on Libya.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 16, 2011, at 10:15 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 16, 2011, at 2:30 p.m., to hold a hearing entitled, ''Afghanistan: Progress and Expectations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on March 16, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 16, 2011, at 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 16, 2011, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 16, 2011. The Committee will meet in room SDG–50 in the Dirksen Senate Office Building beginning at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Ms. LANDRIEU. Mr. President, I ask unanimous that the Special Committee on Aging be authorized to meet during the session of the Senate on March 16, 2011, from 2–4 p.m. in Hart 216.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 48

Mr. DURBIN. Mr. President, I ask unanimous consent that at 12 noon, on Thursday, March 17, the Senate proceed to the consideration of Calendar No. 20, H.J. Res. 48, a 3-week continuing resolution; that there be up to 3 hours of debate, equally divided between the two leaders or designees; that upon the use or yielding back of time, the joint resolution be read a third time, and the Senate proceed to a vote on passage of the joint resolution; that there be no amendments in order to the joint resolution prior to the vote, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 50, 51, 52, 53, 54, 55, 56, 57 and 58 and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Purl K. Keen

The following named officer for appointment as the Chief of Staff, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3033:

To be general

Gen. Martin E. Dempsey

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Joseph L. Votel

The following named officer for appointment as Chief of Chaplains, United States Army, and appointment to the grade indicated under title 10, U.S.C., section 3036:

To be major general

Brig. Gen. Donald L. Rutherford

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Donald M. Campbell, Jr.

IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Thomas L. Conant

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. John F. Kelly

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. James P. Wisecup

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. Joseph D. Kernan

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN278 AIR FORCE nominations (14) beginning DAVID LEWIS BUTTRICK, and ending THEADORE L. WILSON, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN279 AIR FORCE nominations (20) beginning MARTIN D. ADAMSON, and ending JOHN MARION VON ALMEN, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN311 AIR FORCE nominations (13) beginning CHRISTIAN R. SCHLICHT, and ending KAMEKEA C. WILLIS, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2011.

IN THE ARMY

PN264 ARMY nomination of Stacy J. Taylor, which was received by the Senate and appeared in the Congressional Record of February 16, 2011.

PN265 ARMY nominations (90) beginning TEMIDAYO L. ANDERSON, and ending ALLEN P. ZENT, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2011.

PN280 ARMY nomination of Paul L. Robson, which was received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN281 ARMY nomination of Brian M. Boyce, which was received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN282 ARMY nomination of Jan I. Maby, which was received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN283 ARMY nominations (2) beginning JASON K. BURGMAN, and ending CODY D. WHITTINGTON, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN284 ARMY nominations (4) beginning LEE A. BURNETT, and ending ROBERT A. MARSH, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN285 ARMY nominations (6) beginning KENNETH P. DONNELLY, and ending RICHARD J. VANARNAM, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN286 ARMY nominations (12) beginning KEVIN J. MCCANN, and ending GORDON E. VINCENT, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN287 ARMY nominations (15) beginning JOHN S. KUTTAS, and ending WESLEY G. WHITE, which nominations were received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN312 ARMY nomination of Nicole K. Avci, which was received by the Senate and appeared in the Congressional Record of March 4, 2011.

PN313 ARMY nomination of Edmond K. Safarian, which was received by the Senate and appeared in the Congressional Record of March 4, 2011.

PN314 ARMY nominations (2) beginning CHARLES L. CLARK, and ending RUSSELL D. TAYLOR, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2011.

PN327 ARMY nominations (6) beginning ERIK M. BENDA, and ending SETH D. MIDDLETON, which nominations were received by the Senate and appeared in the Congressional Record of March 9, 2011.

PN328 ARMY nominations (7) beginning KEVIN B. DENNEHY, and ending GREGORY A. THINGVOLD, which nominations were received by the Senate and appeared in the Congressional Record of March 9, 2011.

IN THE MARINE CORPS

PN177 MARINE CORPS nomination of Daniel A. Sierra, which was received by the

Senate and appeared in the Congressional Record of February 2, 2011.

PN196 MARINE CORPS nomination of Jeffrey S. Forbes, which was received by the Senate and appeared in the Congressional Record of February 2, 2011.

IN THE NAVY

PN258 NAVY nominations (2) beginning GARRY W. LAMBERT, and ending BRYAN P. RASMUSSEN, which nominations were received by the Senate and appeared in the Congressional Record of February 14, 2011.

PN259 NAVY nominations (23) beginning KARIN E. THOMAS, and ending LESLIE A. WALDMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 14, 2011.

PN289 NAVY nomination of Daniel A. Freilich, which was received by the Senate and appeared in the Congressional Record of February 28, 2011.

PN315 NAVY nominations (2) beginning Richard T. Grossart, and ending Andrew G. Mortimer, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2011.

PN316 NAVY nominations (2) beginning JOHN A. SALVATO, and ending JAY A. FERNS, which nominations were received by the Senate and appeared in the Congressional Record of March 4, 2011.

PN331 NAVY nomination of Brandon M. Oberling, which was received by the Senate and appeared in the Congressional Record of March 9, 2011.

PN332 NAVY nominations (3) beginning WILLIAM A. BROWN, JR, and ending HARPREET SINGH, which nominations were received by the Senate and appeared in the Congressional Record of March 9, 2011.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that following the disposition of H.J. Res. 48, the continuing resolution, the Senate proceed to executive session to consider the following nomination: Calendar No. 11; that there be 2 minutes for debate equally divided in the usual form; that upon the use or yielding back of time the Senate proceed to vote without any intervening action or debate on calendar No. 11; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the Record; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER (Mr. BEGICH). Without objection, it is so ordered.

PROVIDING FOR THE ACCEPTANCE OF A STATUE OF GERALD R. FORD

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 27 which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 27) providing for the acceptance of a statue of Gerald R. Ford from the people of Michigan for placement in the United States Capitol.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LEVIN. Mr. President, the Senate is poised to approve a concurrent resolution providing for the acceptance of a statue of President Gerald R. Ford to be placed in the Capitol. I am proud as a Michiganian, and proud as an American, to support this resolution.

In this turbulent moment, it is good to remember that this is not the first time our Nation has faced adversity. At another time—a time of distress and doubt and anguish—Gerald Ford assumed our Nation's highest office. We were fortunate indeed that at that time of great danger, Jerry Ford was there to take the helm and keep our country on an even keel.

President Ford's courage in the performance of his duties and his willingness to act in the Nation's interest even when it brought criticism were the capstone of a lifetime of service. As a young Navy officer during World War II, this son of Grand Rapids served his Nation with distinction. In December 1944, when a great typhoon and fire threatened Ford's ship, he demonstrated the courage and cool judgment that would serve him so well in Congress and the White House.

Gerald Ford served Michigan and his country for 13 terms as a Member of the House of Representatives, earning bipartisan respect. He became Vice President at a time of great controversy, but it was in navigating the storm that brought him to the Presidency that he provided his greatest service. At a time when our nation needed healing, he was a healer. When we needed unity, he was our unifying force.

The people of Michigan are proud to call Gerald Ford one of our own. Placement of this statue, a gift from the people of Michigan, in the Rotunda of the Capitol on May 3, will be a fitting tribute to his service.

Mr. DURBIN. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 27) was agreed to.

IN SUPPORT OF REDUCING THE SENATE'S BUDGET BY AT LEAST 5 PERCENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. Res. 94 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 94) to express the sense of the Senate in support of reducing its budget by at least 5 percent.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 94) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 94

Whereas, the current level Federal spending is unsustainable and action to reverse this course should not be delayed;

Whereas, in 2010, Federal spending was nearly 24 percent of the value of all the goods and services produced in the United States;

Whereas, the Federal deficit was over $1 trillion in fiscal year 2010;

Whereas, Federal spending is at its highest percentage since World War II;

Whereas, the Congressional Budget Office estimates if the United States maintains its current track of Federal spending, the Federal debt would reach 90 percent of the value of all the goods and services produced in the United States by 2020;

Whereas, the national debt exceeds $13.9 trillion dollars;

Whereas, the United States borrows $44,000 for every person in the country;

Whereas, the unemployment rate was 9.8 percent in December;

Whereas, the American people have responded to the economic downturn by making hard choices and trimming their family budgets;

Whereas, spending in the legislative branch rose nearly 50 percent over the last 10 years; and

Whereas, in order to address the Nation's fiscal crisis, the Senate should lead by example and reduce its own legislative budget: Now, therefore, be it

Resolved, That it is the sense of the Senate that it should lead by example and reduce the budget of the Senate by at least 5 percent.

PROVIDING FOR MEMBERS OF JOINT COMMITTEES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 103, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 103) providing for members on the part of the Senate of the

Joint Committee on Printing and the Joint Committee of Congress on the Library.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 103) was agreed to, as follows:

S. RES. 103

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Schumer, Mrs. Murray, Mr. Udall of New Mexico, Mr. Alexander, and Mr. Chambliss.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Schumer, Mr. Durbin, Mr. Leahy, Mr. Alexander, and Mr. Cochran.

ORDERS FOR THURSDAY, MARCH 17, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, March 17, St. Patrick's Day; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks, there be a period for the transaction of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate resume consideration of S. 493, the small business jobs bill; and finally, that at 12 noon, the Senate proceed to the consideration of H.J. Res. 48, the 3-week continuing resolution, as provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, rollcall votes in relation to amendments to the small business bill are possible tomorrow morning. Senators should also expect two rollcall votes at approximately 3 p.m. in relation to the continuing resolution and on the confirmation of the Jackson nomination to be U.S. District Judge for the District of Columbia.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Thursday, March 17, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

MARY GEIGER LEWIS, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE HENRY F. FLOYD.

JANE MARGARET TRICHE-MILAZZO, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA, VICE MARY ANN VIAL LEMMON, RETIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. ROBERT W. CONE

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPTAIN SANDRA E. ADAMS
CAPTAIN MARK L. LEAVITT
CAPTAIN JON G. MATHESON
CAPTAIN KERRY M. METZ
CAPTAIN JOHN F. WEIGOLD

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL K. PYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JANET MANNING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JOHN H. BARKEMEYER
NED BARTLEBAUGH
JASON B. BLAKE
JAY K. CLARK
PRIMITIVO R. DAVIS
DARYL W. DENSFORD
RAYMOND L. ESTES
SHAREEN S. FISCHER
EMMITT M. FURNER II
SETH H. GEORGE
THOMAS E. GIDLEY
BRADLEY C. GODDING
CHARLES D. GORDON
WILLIAM E. GRAHAM
ERIK J. GRAMLING
FRANTISEK HALKA
MEGAN E. HODGE
CLAUDE E. HOFFMAN
JOHN V. IJEOMA
STANISLAW JASIURKOWSKI
JERRY E. JOHNSON
PETER E. KEOUGH
SAMUEL E. KIM
BRIAN G. KOYN
PHILIP A. KRAMER
MARK C. LEE
JOSH L. LLANO
LUIS E. LOPEZCOLON
VINCENT MANUEL
WILLIE MASHACK
JEFF S. MATSLER
SCOT W. MCCOSH
LUCILIO G. MIZERANI
CHRISTOPHER P. MOELLERING
SEAN A. MOORE
LEO MORAS
SCOTT E. NICHOLS
DOUGLAS A. OCHNER
KELLY L. OLEAR
CHRISTOPHER C. OPARA
JAMES Y. PENNINGTON
SHANNON K. PHILIO
MYUNG Y. RYU
DAVID J. SNYDER
ERIK T. SPICER
MICHAEL W. SPIKES
JASON R. TOBIN
ARTHUR D. VANDERVELDE
VALERIA R. VANDRESS
LARRY M. VANHOOK
WALLACE J. WALDROP, JR.
RICHARD W. WEST
STEVEN K. WHITE
PAUL D. WILBOURN
DONALD A. WILLIAMSON
DANIEL H. WILSON
YAN XIONG
D010566

CONFIRMATIONS

Executive nominations confirmed by the Senate March 16, 2011:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. PURL K. KEEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF STAFF, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3033:

To be general

GEN. MARTIN E. DEMPSEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JOSEPH L. VOTEL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF CHAPLAINS, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 3036:

To be major general

BRIG. GEN. DONALD L. RUTHERFORD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DONALD M. CAMPBELL, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS L. CONANT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN F. KELLY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JAMES P. WISECUP

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOSEPH D. KERNAN

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH DAVID LEWIS BUTTRICK AND ENDING WITH THEADORE L. WILSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH MARTIN D. ADAMSON AND ENDING WITH JOHN MARION VON ALMEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH CHRISTIAN R. SCHLICHT AND ENDING WITH KAMEKEA C. WILLIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2011.

IN THE ARMY

ARMY NOMINATION OF STACY J. TAYLOR, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH TEMIDAYO L. ANDERSON AND ENDING WITH ALLEN P. ZENT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2011.

ARMY NOMINATION OF PAUL L. ROBSON, TO BE MAJOR.

ARMY NOMINATION OF BRIAN M. BOYCE, TO BE MAJOR.

ARMY NOMINATION OF JAN I. MABY, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH JASON K. BURGMAN AND ENDING WITH CODY D. WHITTINGTON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

ARMY NOMINATIONS BEGINNING WITH LEE A. BURNETT AND ENDING WITH ROBERT A. MARSH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

ARMY NOMINATIONS BEGINNING WITH KENNETH P. DONNELLY AND ENDING WITH RICHARD J. VANARNAM, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

ARMY NOMINATIONS BEGINNING WITH KEVIN J. MCCANN AND ENDING WITH GORDON E. VINCENT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

ARMY NOMINATIONS BEGINNING WITH JOHN S. KUTTAS AND ENDING WITH WESLEY G. WHITE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 28, 2011.

ARMY NOMINATION OF NICOLE K. AVCI, TO BE MAJOR.

ARMY NOMINATION OF EDMOND K. SAFARIAN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CHARLES L. CLARK AND ENDING WITH RUSSELL D. TAYLOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2011.

ARMY NOMINATIONS BEGINNING WITH ERIK M. BENDA AND ENDING WITH SETH D. MIDDLETON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 9, 2011.

ARMY NOMINATIONS BEGINNING WITH KEVIN B. DENNEHY AND ENDING WITH GREGORY A. THINGVOLD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 9, 2011.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF DANIEL A. SIERRA, TO BE MAJOR.

MARINE CORPS NOMINATION OF JEFFREY S. FORBES, TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH GARRY W. LAMBERT AND ENDING WITH BRYAN P. RASMUSSEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 14, 2011.

NAVY NOMINATIONS BEGINNING WITH KARIN E. THOMAS AND ENDING WITH LESLIE A. WALDMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 14, 2011.

NAVY NOMINATION OF DANIEL A. FREILICH, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH RICHARD T. GROSSART AND ENDING WITH ANDREW G. MORTIMER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2011.

NAVY NOMINATIONS BEGINNING WITH JOHN A. SALVATO AND ENDING WITH JAY A. FERNS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 4, 2011.

NAVY NOMINATION OF BRANDON M. OBERLING, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH WILLIAM A. BROWN, JR. AND ENDING WITH HARPREET SINGH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 9, 2011.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.